

Volume 4

STATUTES OF CALIFORNIA

AND DIGESTS OF MEASURES

1976

Constitution of 1879 as Amended

**Measures Submitted to Vote of Electors,
Primary Election, June 8, 1976,
and General Election, November 2, 1976**

**General Laws, Amendments to the Codes, Resolutions,
and Constitutional Amendments passed by the
California Legislature**

1975–76 Regular Session



Compiled by
BION M. GREGORY
Legislative Counsel

CALIFORNIA LEGISLATURE

1975-76 REGULAR SESSION

SUMMARY DIGEST

of

Statutes Enacted and Resolutions (Including Proposed
Constitutional Amendments), Adopted in 1976

and

1969-1976 Statutory Record



DARRYL R. WHITE
Secretary of the Senate

JAMES D. DRISCOLL
Chief Clerk of the Assembly

Compiled by
BION M. GREGORY
Legislative Counsel

CONTENTS

	Page
Preface	iv
Abbreviations	v
Effective Dates	vi
Bill Chapter Digests	3
Resolution Chapter Digests	437
Cross-Reference Tables (Chapter Number of Bills)	
Assembly Bills	461
Senate Bills	467
Resolutions	470
Vetoed Bills: List	472
1969–1976 Statutory Record (including 1975–76 First, Second, and Third Extraordinary Sessions)	475
1969–1976 Resolution Chapters Affecting Those of Prior Years	1436
New General Laws, 1969–1976	1437
Index	1455

PREFACE

Digests

The Summary Digest consists of a short summary of each law enacted, and of each constitutional amendment, concurrent or joint resolution adopted by the Legislature in 1976. Except for technical corrections indicated by “*” (words stricken out or added), the summary of each measure is identical to the Legislative Counsel’s digest which appeared on the face of the legislative measure when placed on final passage by both houses.

Cross-Reference Tables

The text of the Summary Digest is arranged numerically by chapter number.

Cross-reference tables are arranged numerically by bill or resolution number and indicate the chapter number of each.

Index

A subject matter index to all measures, including constitutional amendments and resolutions, is included.

Statutory Record

This edition of the Summary Digest includes a cumulative statutory record for 1969–1976, followed by a list of concurrent resolutions adopted in the years 1969–1976 which affect concurrent resolutions adopted in prior years, and lists of new general laws passed in the years 1969–1976 which do not specifically amend, add to, or repeal any existing code or general law. Cumulative statutory records for 10-year periods, 1959–1968 and 1949–1958, and for the 16-year period, 1933–1948, are published in separate volumes, which supplement the original statutory record, 1850–1932, published in 1933.

ABBREVIATIONS

SB.....	Senate Bill
AB	Assembly Bill
SCA	Senate Constitutional Amendment
SCR	Senate Concurrent Resolution
SJR	Senate Joint Resolution
ACA.....	Assembly Constitutional Amendment
ACR.....	Assembly Concurrent Resolution
AJR	Assembly Joint Resolution
Sec.	Section
Art.	Article
Ch.	Chapter
Res. Ch.	Resolution Chapter
Pt.	Part
Div.	Division
Stats.	Statutes

EFFECTIVE DATES

Regular Session

The 1975-76 Regular Session convened on December 2, 1974, and adjourned sine die on November 30, 1976. Statutes enacted in 1976, other than those taking immediate effect, will become effective January 1, 1977. In absence of other considerations, the provisions of a statute become operative on the date it takes effect. Digests indicate statutes taking immediate effect.

An urgency statute and a statute calling an election, providing for a tax levy, or making an appropriation for the usual current expenses of the state may take effect immediately. Such a statute becomes *effective* on the date it is filed with the Secretary of State.

However, any statute may, by its own terms, delay the *operation* of its provisions until the happening of some contingency, until a specified time, or until a vote of the electors at a statewide election. Also, a later statute or a general provision in a particular code may delay the operation of a statute to a time after its effective date.

The effective date of a joint or concurrent resolution is the date it is filed with the Secretary of State.

A constitutional amendment proposed by the Legislature and adopted by the people takes effect the day after the election unless the measure provides otherwise.

**DIGESTS OF STATUTES
ENACTED IN 1976**

1975-76 REGULAR SESSION

BILL CHAPTERS

1976 REGULAR SESSION

Ch. 1 (AB 1788) Chimbole. Dogs: regulation: credit cards

The existing law does not specify that an animal control officer of any county or city may accept presentation of any credit card in payment for any license, fee, or fine or in the payment of other obligations owed to him.

This bill would permit an animal control officer of any county, when the board of supervisors of any such county so authorizes, or an animal control officer of any city, when the governing board of any such city so authorizes, to accept presentation of any specified credit card in payment of any fee or penalty provided for by designated provisions or in payment for any license, fee, or fine or in payment of any other obligation owed him for any amount of not to exceed \$50, if certain designated conditions are satisfied

Ch. 2 (AB 2407) Boatwright. Public schools: kindergarten—retention.

Existing statutes provide for the admission to first grade of a child who has been lawfully admitted to, and has completed one year in, a kindergarten maintained in a private or public school in this state or another state regardless of age so long as the child is at least 5 years of age, but do not address themselves specifically to retention in kindergarten.

This bill would specify an exception thereto, where the parent or guardian and the school district agree that the child may be retained in kindergarten for not more than [an] * additional school year

This bill would take effect immediately as an urgency statute.

Ch. 3 (SB 1338) Stull. Schools: pupil records

Existing law prohibits access to any written records concerning any particular pupil enrolled in any public, private, or parochial school providing instruction in any of grades kindergarten through 12 to any person except under judicial process unless the person comes within specified classes, but permits school authorities to provide specified types of information.

Existing law also attempts to resolve potential conflicts between California law and the provisions of Public Law 93-380 by specifying that parents have an absolute right to access to any and all pupil records related to their children, requiring the adoption of procedures for granting requests by parents for inspection and review of a pupil's records, and providing a procedure for a parent to challenge the content of any pupil record.

This bill would delete the provision which prohibits access to written records except under judicial process unless the person comes within specified classes.

This bill would take effect immediately as an urgency statute.

Ch. 4 (AB 434) Knox. Health care service plans.

Existing law requires that effective January 1, 1976, all health care service plans and their employees or agents shall present a properly completed disclosure form, as prescribed by the Attorney General, to individual prospective plan members when presenting the plan for examination or sale.

Existing law also provides that effective January 1, 1976, the Attorney General may require advertising and other consumer information disseminated by a health care service plan for the purpose of influencing persons to become members of the plan to contain supplemental disclosure information.

This bill would repeal those provisions of existing law.

The bill would take effect immediately as an urgency statute.

Ch. 5 (AB 1341) Priolo. Subdivision Map Act: tentative maps

Existing law does not require the clerk who files a tentative map under the Subdivision Map Act to send a notice of the filing of the map to the governing board of the schools or school districts that would be affected thereby

This bill would require the clerk of the legislative body or advisory agency where the tentative map was filed to send a notice of the filing of the map to the governing board of the schools or school districts within the boundaries of which the subdivision is proposed to be located, so that they may review it and, if they elect to do so, make recommendations back to the agency or legislative body where the map was filed on the impact on such schools or school districts affected by the tentative map.

The bill would provide that no appropriation or reimbursement of local agencies is made for costs incurred by them pursuant to this bill for a specified reason

Ch. 6 (AB 1538) Mori. County contracts: special services

The existing law authorizes the board of supervisors to contract for special services on behalf of various public entities. There is no monetary limit on such contracts.

This bill would authorize the board of supervisors, by ordinance, to direct the purchasing agent to enter into contracts for special services where the estimated aggregate cost does not exceed \$10,000.

Ch. 7 (AB 2361) Vicencia. Buses: excess length exception.

Existing law provides, with various exceptions, that no vehicle shall exceed a length of 40 feet

This bill would add an exception for a bus when the excess length is caused by a device, located in front of the front axle, for lifting wheelchairs into the bus. The bill would also provide that such device shall not cause the length of the bus to be extended by more than 18 inches exclusive of any front safety bumper.

This bill would take effect immediately as an urgency statute.

Ch. 8 (AB 2446) Brown. Home furnishings: fire retardant requirement.

Existing law requires all mattresses and all upholstered furniture sold in this state to be fire retardant.

This bill would empower the Chief of the Bureau of Home Furnishings with the approval of the Director of Consumer Affairs to exempt certain items of upholstered furniture which are deemed not to pose a serious fire hazard from such requirement.

The bill would take effect immediately as an urgency statute.

Ch. 9 (AB 2600) Fenton. Parks: Otterbein Park reversion and Whittier Narrows acquisition grant

There is no existing law providing a grant of funds to the County of Los Angeles for the acquisition or development of lands in Whittier Narrows for park and recreational purposes.

This bill would amend and supplement the Budget Act of 1975 to appropriate \$1,000,000, payable from unencumbered funds in the State Beach, Park, Recreational, and Historical Fund of 1974, to the Department of Parks and Recreation for a grant to the County of Los Angeles for the acquisition, development, or both, of lands in Whittier Narrows for park and recreation purposes, provided that none of such funds shall be available for expenditure unless and until the project is submitted to, reviewed, and approved by the Secretary of the Resources Agency

The bill would also revert to the unappropriated balance of such fund, the unencumbered balance of the appropriation for the acquisition, development, or both, of Otterbein Park in the County of Los Angeles made by Item 412A(100), Budget Act of 1974, as added by Chapter 1522 of the Statutes of 1974

[The bill would take effect immediately as an urgency statute] *

Ch. 10 (SB 603) Grunsky. Subpoenas.

Existing law requires service of a subpoena on a member of the California Highway Patrol to be made by delivering a copy of the subpoena to the member personally or to his immediate superior

This bill would expand the authorized means of service of a subpoena on a member of the California Highway Patrol. It would, in addition to the present methods of service

of such a subpoena, authorize service to be made by delivery of a copy of the subpoena during usual office hours, at least 5 days prior to the date of the member's required attendance, to the person in charge of the California Highway Patrol office where the member filed his report of the event to which he is a witness.

Ch. 11 (SB 1411) Alquist School building construction inspectors.

Existing law specifies that as of January 1, 1976, any person employed to inspect the construction, reconstruction or alteration of school buildings shall be a registered construction inspector, except as otherwise exempted.

The law allows an exemption for inspectors approved by the Office of Architecture and Construction and employed pursuant to a particular building contract prior to January 1, 1976.

This bill would extend the specified dates to January 1, 1977, and January 1, 1978, respectively and would make such changes retroactive to January 1, 1976.

The bill would take effect immediately as an urgency statute

Ch. 12 (AB 1383) Tucker. Los Angeles County Flood Control District: revolving fund

Existing law provides for a revolving fund for purchase of services and materials in the maximum amount of \$1,000 for the Los Angeles County Flood Control District

This bill would increase such fund maximum to \$5,000

Ch. 13 (AB 2362) Fenton. Industrial safety: confidentiality of complaints.

Existing law specifies that the name of any person who submits to the Division of Industrial Safety a complaint regarding the unsafeness of an employment or place of employment shall be kept confidential by the division upon the request of that person

This bill would provide, instead, that such complaints be confidential unless the person requests otherwise

Ch. 14 (AB 2393) Vincent Thomas. Boxing.

Existing law excludes the gross price paid for television rights for the viewing outside of the state of a professional championship boxing contest from provisions levying a tax on the gross price received from the sale, lease, or other exploitation of television rights. Such provision is operative only until August 16, 1975.

This bill would extend the operative date of such provision until January 1, 1977

It would also take effect immediately as an urgency statute

Ch. 15 (SB 722) Roberti Traffic regulation: roadside construction.

The law presently provides that (1) local authorities may authorize persons to regulate traffic at the site of road or street construction or maintenance if the local authority has submitted and has had approved by the Commissioner of the Highway Patrol or chief law enforcement officer of the area in which the duties are to be performed, a program which will provide sufficient training for such duty; and (2) disobedience to such authorized persons' traffic instructions, under specified conditions, is an infraction

The bill would (1) provide for such authorization without requiring an approved training program for such persons, and (2) would delete the provision making such disobedience an infraction.

Ch. 16 (SB 1339) Stull. Transit development boards.

Chapters 294 and 1188 of the Statutes of 1975 created two distinct transit development boards within San Diego County. However, overlapping census tracts were cited in each act creating jurisdictional conflicts

This bill would correct these conflicts and would go into immediate effect as an urgency statute

Ch. 17 (AB 2170) Antonovich Improvement Act of 1911. nonpayment of improvement bonds

Under the Improvement Act of 1911, municipalities are authorized to make improvements and to assess the owners of property which is benefited by such improvements with such assessments being liens on the property assessed; and bonds may be issued to represent unpaid assessments. The act contains various provisions relating to the sale or

other disposition of the property in the event of failure to pay such bonds.

This bill would revise such provisions relating to delinquency to do the following:

(1) Require in the notice of sale a statement that, in order to avoid a sale of property for delinquency, payment of, among other things, cost of publication of the notice of sale incurred before such payment (rather than treasurer's costs of mailing and posting the notice) is required. The requirement that the treasurer's costs for issuance of certificate of sale also be paid would be deleted from the statement. Fees for filing notice of pendency of sale would not be required for avoiding sale and reinstating the bond. Further, the notice would be required to state that if there is a sale the sale price will include the fee for recording the certificate of sale.

(2) Make technical, conforming changes in the provisions relating to costs to be deposited by the bondholder prior to publication of the notice of sale.

(3) Specify that the treasurer's affidavit of publication of notice of sale shall be "prima facie," rather than "primary," evidence of such publication, and delete a requirement for a specified affidavit of mailing of notice.

(4) Require, in order to obtain cancellation of a delinquent bond, that any person interested in the land to be sold pay a \$3 fee for ascertaining the name and address of the property owner and sheriff's travel fees in addition to costs of publication of notice of sale and, if incurred, the cost of a title search.

(5) Delete reference to a certain cost and fee to be paid by the bondholder prior to obtaining a certificate of sale (in the event there are no bidders at the sale), in order to conform such provisions to the provisions relating to costs required to be deposited by the bondholder before the sale.

(6) Require payment of travel fees, as specified, and require a posting of the notice of intent of the purchaser of property sold for delinquency to apply for a deed only on property for which a survey is not required to identify and locate it; provide that if no deed is applied for, the right of redemption is no longer indefinite but lasts until 4 years after the issuance of a certificate of sale of such property issued at the sale for delinquency; and require that the treasurer, rather than the purchaser, file an affidavit that notice of the purchaser's intention to apply for a deed has been given, and provide for payment of the cost thereof by the purchaser.

(7) Make other changes to conform to changes in the law made in 1974 and 1975.

The bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill for a specified reason.

Ch. 18 (AB 2498) Duffy. Health science facilities.

Under the Budget Act of 1975, money has been appropriated from the Health Sciences Facilities Construction Program Fund to the University of California, for health sciences in connection with the University of California at Davis, for planning and equipment, Sacramento Medical Center. With respect to such appropriation, the Budget Act of 1975 contains a proviso that no sums appropriated therefor shall be allocated by the State Public Works Board until the President of the University of California certifies to the Director of Finance and the Chairman of the Joint Legislative Budget Committee that the University of California has renegotiated its contract with the County of Sacramento to include a provision in the agreement whereby the county agrees to provide financial support for medical indigents not eligible for Medi-Cal, at a level equivalent to that experienced by the county between October 1971, and July 1973, adjusted annually for patient load changes of such indigents and annually by a relevant inflation index.

This bill would delete such proviso.

The bill would take effect immediately as an urgency statute.

Ch. 19 (SB 1376) Alquist. Elections: Democratic presidential primary.

Existing law regulates the conduct of the Democratic presidential primary.

This bill would establish a deadline of February 1, for publication of the list of candidates the Secretary of State intends to place on the ballot, reduce the number of voters who may form an uncommitted delegation from 9 to 7, delete the requirement of a signer's residence and date of signature on nomination papers, extend the deadline for obtaining signatures on nomination papers from 85 to 74 days before the election, revise the formula for allotment of delegates, provide for the selection of remaining delegates

by the steering committee together with the elected delegates, rather than the elected delegates alone, revise the deadline for filing the names of members of the steering committee with the Secretary of State, eliminate the requirement that the names of potential delegates be sent to voters with the sample ballot, require the sample ballot information to notify the voter if a candidate is ineligible to receive delegates from that congressional district, require the Secretary of State to notify the county clerk of the potential delegates from his county, provide that a candidate or uncommitted delegation loses delegates in each congressional district for which no slate of delegates is filed, extend the deadline for the compilation and filing of canvassed returns by the Secretary of State from 21 to 24 days after the election, shorten the deadline for sending canvassed returns to the Secretary of State from 25 to 20 days after the election, and make minor, related changes

The bill would take effect immediately as an urgency statute.

Ch 20 (AB 1261) Robinson. Local agencies: financial affairs.

Existing law requires each depository holding funds of a local agency to render a quarterly statement to the treasurer of the local agency showing, separately the daily balances or amount of money of the local agency held during the calendar quarter and the amount of interest thereon, one copy to be filed by the treasurer with the auditor, controller, secretary, or corresponding officer of the local agency

This bill would repeal such requirement.

Ch. 21 (AB 2342) Mobley Subdivision Map Act. waiver of technical error.

Existing law provides for local agency disapproval of a map for failure to meet or perform any of the requirements or conditions imposed by the Subdivision Map Act or local ordinance enacted pursuant thereto

Existing law also permits local ordinance to include a procedure for waiver of the provisions of this section for technical and inadvertent error which, in the determination of the local agency, does not materially affect the validity of the map.

This bill would condition local agency disapproval upon the agency's making a finding that the map fails to meet or perform requirements or conditions imposed by the Subdivision Map Act

This bill would also mandate that local law include a procedure for waiver of the provisions of this section for immaterial technical and inadvertent error.

This bill also makes a technical nonsubstantive change.

Ch 22 (AB 2583) McAlister Eminent domain

Under existing law Chapter 1275 of the Statutes of 1975 becomes operative on July 1, 1976.

This bill would make a clarifying change with respect to the operative date of that chapter

This bill would take effect immediately as an urgency statute

Ch. 23 (SB 928) Stiern. State lands: sale.

The state currently holds two parcels of real property in San Mateo and Ventura Counties which were acquired as future state college sites.

This bill would authorize the Director of General Services, with the approval of the State Public Works Board, to sell all or any part of such parcels of real property, and any water company stock held in connection therewith, for current market value in accordance with specified conditions. The bill would provide for the deposit of any money received from the sale, less the costs of the sale, in the Capital Outlay Fund for Public Higher Education for capital outlay, Trustees of the California State University and Colleges

Ch 24 (SB 699) Behr. Public Employees' Retirement System: state safety members.

Existing Public Employees' Retirement Law includes various officers and employees of the Departments of Corrections and Youth Authority within the state safety membership category.

This bill would include officers and employees in specified classifications in those departments and the Adult Authority in the state safety membership category.

The provision would not become operative until social security coverage termination is approved by the federal agency.

Ch. 25 (AB 484) Papan. Impound accounts.

Existing law contains no provisions requiring the payment of interest by a financial institution which makes loans or purchases obligations on the security of real property on money received in advance for the payment of real property taxes, insurance, and other purposes relating to the secured property, nor any provisions requiring the refund of excess amounts prepaid for such purposes.

This bill would require that a financial institution as defined making loans or purchasing obligations on the security of real property containing only a one- to four-family residence and located in this state which receives money in advance for payment of taxes on the property, insurance, or other purposes relating to the property subject to the secured lending agreement pay interest on such funds at a specified rate.

This bill would prohibit a financial institution as defined from imposing any fee or charge in connection with the maintenance or disbursement of such funds if such fee would result in an interest rate less than the specified rate being paid on the moneys so received.

The bill would exclude impound accounts established under various conditions from the bill's provisions.

Ch 26 (SB 1413) Mills. Public transportation.

(1) Under existing law, there is a San Diego Metropolitan Transit Development Board, which is required to plan, construct, and operate (or let a contract to operate) exclusive public mass transit guideways in San Diego County. Under the Mills-Alquist-Deddeh Act, funds are available to various public entities for transportation purposes, but there are no provisions for a loan for such purposes.

This bill would require the auditor of San Diego County to advance, from a specified portion of the local transportation fund, up to \$500,000 to the board to commence its activities as prescribed by law. Such advance would be required to be credited against future allocation instructions the board may make.

(2) Under that act, funds allocated to a county may only be used for specified public transportation purposes

The bill would authorize a county in which there is no countywide transit district to use such funds to finance the construction of multimodal transportation terminals anywhere in the county

(3) Under that act, a transportation planning agency may approve claims filed by a city for the construction of facilities for the exclusive use of pedestrians and bicycles, if the city is not expected to be served by public transportation within 3 years of the filing of the claim. In areas of San Diego County served by public transportation services, the apportionments for such areas, after deductions for specified administrative and transportation planning purposes and up to 2 percent of the apportionment for such pedestrian and bicycle facilities, are required to be used for public transportation purposes

The bill would, in the case of the City of Del Mar, authorize the transportation planning agency to approve claims filed by the city for its unallocated apportionment through the 1977-78 fiscal year for the construction of such facilities

(4) The bill would declare that a special law is necessary because of the unique need to construct such facilities in the city.

(5) The bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by the bill for a specified reason.

(6) The bill would take effect immediately as an urgency statute.

Ch 27 (SB 210) Beilenson. Lis pendens.

Under existing law, when a notice of lis pendens is expunged for the reason that the action does not affect title to or right of possession of the real property or for the reason that the party recording the notice has commenced or prosecuted the action for an improper purpose and not in good faith, the lis pendens does not constitute constructive notice of any of the matters contained therein nor create any duty of inquiry in any person thereafter dealing with the property

This bill would provide that the notice shall, upon motion, be expunged unless the party filing the notice shows by a preponderance of the evidence that the action does affect title to or right to possession and that the party recording the notice has com-

menced the action for a proper purpose, and in good faith; that neither the notice of the pendency of the action nor any information derived therefrom, prior to the recording of a certified copy of the judgment or decree issued therefrom, constitutes constructive or actual notice of any of the matters contained therein, or of any of the matters relating to such action, and would permit the court to require the party prevailing on the notice to expunge to give an undertaking to the other party for indemnification as specified.

The bill would make other conforming changes and would permit the court in the order granting or denying expungement to direct the award of attorneys' fees and costs to the prevailing party rather than directing the payment of such fees and costs by the party recording the notice

Ch 28 (SB 508) Cusanovich. Horseracing: purses, license fees, other payments

Under existing law, any racing association which handles \$20 million or less in the parimutuel pools operated by it during the course of a racing meeting is exempt from other provisions relating to the percentage payment of purses, license fees, and payments to owners or breeders, and instead pays out 5.5 percent as a license fee and 10.25 percent to owners and breeders as commissions and purses. It also provides that no racing association, or its successor in interest, except the California State Fair and Exposition or a district or county fair, shall pay this reduced license fee for more than 5 years after July 1, 1970.

This bill increases from \$20 million to \$25 million the amount in the parimutuel pool which will qualify an association for exemption from the other statutory provisions relating to the percentage payment of purses and payments to owners or breeders, and reduced license fees. This bill would also provide that its provisions shall be in effect for one year after its enactment and as of such date is repealed.

This bill would take effect immediately as an urgency statute.

Ch 29 (SB 746) Collier. Abandoned vehicles: removal procedures

Existing law authorizes a city or county to adopt an ordinance having specified provisions establishing procedures for abatement and removal, as public nuisances, of abandoned, wrecked, dismantled, or inoperative vehicles or parts thereof from private or public property, but not highways. Furthermore, the Department of the California Highway Patrol is authorized to disburse money from the Abandoned Vehicle Trust Fund to any city or county establishing such procedures or to provide for the removal of abandoned vehicles by franchise or contract, with reimbursement of the department being made from the fund.

This bill would require the Department of the California Highway Patrol, at the request of a local authority, to administer, on behalf of the local authority, its abandoned vehicle abatement and removal program established pursuant to such existing provisions of law. In such a case, the department would be required to establish by regulation specified procedures conforming to existing law pertaining to a local authority. Additionally, the bill would specify that no local authority receiving these services of the department would be eligible for any disbursement from the Abandoned Vehicle Trust Fund. The bill would also make various technical changes.

Ch. 30 (SB 1077) Roberti. Unclaimed property

Existing law exempts from the provisions of the Unclaimed Property Law property held by an interstate railroad company whose rates are regulated by the Public Utilities Commission and by a regulatory agency of the United States.

This bill would delete this exemption.

Ch 31 (AB 2214) Knox. Local agency formation commission.

(1) Local agency formation commissions, referred to as LAFCO's, are created under existing law, pursuant to the Knox-Nisbet Act, to perform specific functions, including generally the power to review, and approve or disapprove proposals to reorganize various agencies of local government.

LAFCO's are authorized to initiate and make studies of existing governmental agencies, and in conjunction with such studies, a LAFCO is authorized to ask for land use information, studies, and plans of cities, counties and districts. LAFCO's are also re-

quired to make their studies available to cities, counties, and districts.

This bill would specifically include school districts within the term "districts" for such purpose, and additionally authorize a LAFCO to request such information from regional agencies and state agencies and departments. It would require LAFCO's to make their studies available to public agencies and any interested person.

(2) Under existing law LAFCO's are also required to develop and determine "spheres of influence" of each local agency within a county, for purposes of determining its ultimate physical boundaries and service area. Any local agency or county desiring amendment or revision of an adopted sphere of influence is authorized to request the LAFCO to make such an amendment, pursuant to specified procedures, and the requester must reimburse the LAFCO for reasonable and necessary costs incurred, up to a limit of \$500.

This bill would delete such limit.

(3) Provisions of existing law authorize a LAFCO to establish a schedule of fees for filing and processing applications for initiation of proceedings.

Under this bill such procedures would be revised to authorize a LAFCO to charge a fee not exceeding \$500, and establish a schedule of fees, for costs incurred in connection with an application of a special district for extension of its powers.

(4) Existing law further requires that the officers and employees of any city, county or special district furnish to the executive officer of a LAFCO, records, information, or other relevant materials necessary to assist the LAFCO.

Officers and employees of school districts, regional agencies, and state agencies or departments would be specifically included within such provisions under this bill, and the bill would delete from existing law the requirement to furnish "other relevant materials."

(5) Existing law specifically requires, among other things, that an application for initiation of LAFCO proceedings contain the name or names of the districts or cities which would be affected thereby.

The bill would delete this specific requirement.

(6) Existing law provides for conditional approvals of local agency reorganizations by a LAFCO both under the Knox-Nisbet Act and the District Reorganization Act of 1965.

This bill would incorporate by reference into the Knox-Nisbet Act the conditions which may be imposed under the District Reorganization Act, which include such matters as the disposition of indebtedness or property, issuance and sale of bonds, status of employees, and various other matters.

(7) Under existing law, LAFCO's are required to preserve accrued vacation, sick leave, and retirement benefits of persons hired from counties.

This bill would revise such requirement to state that LAFCO's must preserve accrued vacation, sick leave, compensatory time, and retirement benefits of persons hired within the employment of their respective county.

(8) Existing law provides for the appointment of various alternate members of a LAFCO to serve and vote in the place of regular members who are absent or disqualified from participating in a meeting.

This bill would add a provision that, in the event the office of such a regular member becomes vacant, his alternate may serve and vote in his place until the appointment and qualification of a successor.

(9) Finally, the bill would provide that notwithstanding Section 2231 of the Revenue and Taxation Code, no reimbursement of local agencies, or appropriation, is made, for a specified reason.

Ch. 32 (AB 2279) Cline. Schools: attendance; extended sessions

Under existing law, days of attendance in special day classes convened, or other instruction provided a pupil, for days in a school year which are in excess of the number of days in the school year on which the regular day schools of a district are convened, are not credited to the school district in the fiscal year in which the last day of such excess days falls.

This bill would provide that such excess days shall be credited to the school district in the fiscal year in which the last day of such excess days falls.

This bill would take effect immediately as an urgency statute.

Ch. 33 (AB 2356) Fenton. Industrial safety permit

Existing law imposes various requirements regarding safety in employment and includes demolition with other enumerated employment which, because of the risk of injury, requires an industrial safety permit prior to beginning work.

This bill restricts salvage of materials while certain demolition is in progress.

Existing law requires that for those employments or places of employment which by their nature involve a substantial risk of injury the State Division of Industrial Safety shall require the issuance of a permit, based upon a determination that a safe and healthful place of employment will be provided by the employer, prior to the initiation of such employment. The employment or places of employment for which permits are required include specified types of construction and demolition.

This bill would require any state or local agency which issues building permits to require, as a condition of issuing any such permit where the working conditions of such construction would require the issuance of a permit to an employer from the Division of Industrial Safety, proof of the receipt of such a permit.

Existing law specifies that a violation of regulations, rules, orders, or special orders adopted by the Division of Industrial Safety as a condition of certification be punishable by a suspension or revocation of certification, unless such violation is responsible for death or injury to employees in which case it would be punishable by a misdemeanor.

This bill would additionally specify that any violation of certain permit requirements for places of employment which by their nature involve a substantial risk of injury be a misdemeanor.

This bill would also provide that no appropriation is made and the state shall not reimburse local agencies for costs incurred by them pursuant to this bill.

This bill would take effect immediately as an urgency statute.

Ch. 34 (AB 2506) Boatwright. Credit cards. cancellation notice

Existing law governing credit cards makes no provision for the giving of notice by a card issuer to a cardholder prior to a cancellation of or a refusal to renew a credit card.

This bill would require that a cardholder, unless he requests otherwise, be given a 30-day written notice by the card issuer of its intention to cancel unless the cardholder is, or has been within the last 90 days, in default of payment or otherwise in violation of any provision in their agreement governing the cardholder's use of the credit card or unless the card issuer has evidence or reasonable belief that the cardholder is unable or unwilling to repay obligations incurred under the agreement or that an unauthorized use of the card may be made.

Ch 35 (AB 2565) William Thomas. Kern Delta, Cawelo, Rag Gulch and Kern-Tulare Water Districts, land area assessments.

Existing law provides for ad valorem assessments in the Kern Delta, Cawelo, Rag Gulch and Kern-Tulare Water Districts as member units of the Kern County Water Agency. In the Kern Delta Water District, existing law provides for ground water charges. No provision for assessment on a per-acre basis exists in these agencies.

This bill would authorize these districts, on noticed hearing, to levy an assessment on a basis of per acre of developed, or per acre of undeveloped, land, or both. The bill also provides for submittal of such assessment, on petition of 5% of the landowners and before levy, to approval of the qualified voters of the district.

The bill would take effect immediately as an urgency statute.

Ch 36 (AB 2557) Craven. County Employees Retirement Law: disability retirement.

Under existing law, employees subject to a specified service retirement formula pursuant to the County Employees Retirement Law of 1937 may receive non-service-connected disability retirement allowances regardless of age.

This bill would provide that if a county elects to adopt a specified service retirement formula an employee who has attained the age 62 and retires for nonservice disability will receive a service retirement allowance rather than a disability retirement allowance. The provision would not be applicable in any county until adopted by the board of supervisors.

The bill would take effect immediately as an urgency statute.

Ch. 37 (AB 2458) Briggs. Parking exemptions from restrictions.

Existing law generally permits local authorities to prohibit or restrict, by ordinance or resolution, without placing signs or markings, the parking or standing of vehicles on certain streets or highways, or portions thereof, between 2 a.m. and 6 a.m., and of commercial vehicles having a manufacturer's gross vehicle weight rating of 6,000 pounds or more, on any street, or portion thereof, in a residential district.

This bill would permit local authorities to so prohibit the parking or standing of commercial vehicles having a manufacturer's gross vehicle weight rating of 10,000 pounds or more, rather than 6,000 pounds or more.

Further, this bill would authorize the ordinance or resolution pertaining to parking between 2 a.m. and 6 a.m. to provide for a system of permits to exempt from the prohibition or restriction of such ordinance or resolution, handicapped persons and residents of high-density, multiple-family dwelling areas or similar areas lacking adequate offstreet parking facilities.

This bill would take effect immediately as an urgency statute.

Ch. 38 (AB 2417) Craver. School classified employees

Under existing law all employees a part of the classified service are entitled to various paid holidays, as specified, and the employee is entitled to use earned sick leave, up to 6 days a year, at his election, in cases of personal necessity, including specified circumstances.

This bill would specify that such provisions are applicable to probationary or permanent employees.

Ch. 39 (AB 1000) Lockyer. Veteran's benefits

The existing law specifies for Vietnam veterans a service termination date for Cal-Vet loan eligibility purposes of September 26, 1974.

This bill would extend such service termination date to May 6, 1975.

Under existing law, the statutory provision which specifies wars for ~~purposes~~ [the purpose of] * determining service that qualifies a claimant for the veteran's property tax exemption, enumerates the campaign against the Viet Cong and North Vietnamese Communists in South Vietnam, August 5, 1964, to a date to be fixed by proclamation of the Governor signifying the termination of this campaign. No such proclamation has been issued by the Governor.

This bill would establish a termination date of the campaign as May 6, 1975.

Ch. 40 (AB 1861) Knox. Districts securities investigation

(1) Existing law makes proposed district bonds subject to prior investigation and approval by the State Treasurer whenever there are fewer than 500 registered voters in the district, and the outstanding district indebtedness exceeds 200% of the assessed value of the real property within the district, and there are less than one registered voter per two acres of territory in the district.

This bill would instead make district bonds subject to prior investigation and approval by the State Treasurer either when the proposed bonds are to be secured by tax or assessment on land and improvements and the outstanding district indebtedness plus the proposed bond principal exceeds 200% of the assessed value of land and improvements within the district, or, when the proposed bonds are to be secured by tax or assessment on land only, and the outstanding indebtedness plus the proposed bond principal exceeds 200% of the assessed value of land within the district.

This bill would expressly exempt bonds issued pursuant to the Improvement Act of 1911 and the Improvement Bond Act of 1915 from such provisions.

(2) Existing law makes proposed subdistrict bonds subject to prior investigation and approval by the State Treasurer whenever there are fewer than 500 registered voters in the district, and the sum of the subdistricts share of the outstanding district indebtedness, the unpaid principal of all prior issued subdistrict bonds plus the proposed bond principal, exceeds 200% of the assessed value of the real property within the subdistrict, and there are less than one registered voter per two acres of territory in the subdistrict.

This bill would instead make subdistrict bonds subject to prior investigation and approval by the State Treasurer either when the sum of the subdistricts share of the outstanding district indebtedness, the unpaid principal of all prior issued subdistrict

bonds plus the proposed bond principal exceeds 200% of the assessed value of land and improvements within the subdistrict, or, when the proposed bonds are to be secured by a tax on land only, and the sum of the subdistricts share of the outstanding district indebtedness, the unpaid principal of all prior issued subdistrict bonds plus the proposed bond principal exceeds 200% of the assessed value of land within the subdistrict.

The existing law exempts, under certain circumstances, bonds issued under the Improvement Bond Act of 1915 from specified provisions of the law relating to the issuance of subdistrict bonds.

This bill would delete such provisions.

Ch 41 (AB 1930) Ralph Tied-house restrictions

Existing law expressly authorizes a holder of a beer and wine wholesaler's license to manufacture, distribute, and sell any lawful product to on-sale premises, provided that the current market price is charged.

This bill would expressly authorize a holder of a wholesaler's license to manufacture, distribute, sell, or rent any lawful product to a person who operates, owns, or maintains retail premises where alcoholic beverages are sold, provided the current market price is charged.

Ch. 42 (AB 2070) Davis Peace officers.

Chapter 639 of the Statutes of 1974 amended provisions in the Fish and Game Code and the Penal Code to expand the peace officer powers of members of the Wildlife Protection Branch of the Department of Fish and Game designated by the director of such department as deputized law enforcement officers. However, such provisions in the Penal Code were chaptered out by later-enacted provisions making unrelated changes in the same code section.

This bill would make such changes in the Penal Code as have been made in the Fish and Game Code relating to the peace officer powers of members of the Wildlife Protection Branch.

Ch. 43 (AB 2428) Calvo. State highways: location: report.

Under the Environmental Quality Act of 1970, and the rules and regulations adopted pursuant thereto, an environmental impact report is required to be prepared for any project, including state highway or freeway project, which may have a substantial adverse impact on the environment.

Prior to the enactment of that act and presently, the California Highway Commission was and is required to issue a report stating the basis, taking into consideration 13 factors, for the selection, adoption, and determination of the location for a state highway or freeway, which factors would be considered in an environmental impact report when applicable.

This bill would delete the requirement that the commission issue this latter report on a state highway or freeway location.

Ch 44 (AB 2744) Sieroty Appropriation. Department of Justice

This bill would appropriate \$80,000 to the Department of Justice to pay the claim of Idella Boyd against the State of California.

The bill would take effect immediately as an urgency statute.

Ch 45 (SB 1424) Mills. Del Mar Race Track: improvements.

Under existing law, \$1,300,000 was appropriated from the General Fund, under specified conditions, for the construction of improvements to Del Mar Race Track. The funds appropriated and expended for such purposes were to be repaid in full with interest to the General Fund from the Del Mar Capital Improvement Account prior to October 1, 1975.

This bill would appropriate, under such conditions, an additional \$600,000 from the General Fund for such purposes to be repaid in full with interest from such account prior to October 1, 1978.

The bill would take effect immediately as an urgency statute.

Ch. 46 (AB 1589) McAlister. State Employees' Medical and Hospital Care Act.

Existing law, under the State Employees' Medical and Hospital Care Act, authorizes the Board of Administration of the Public Employees' Retirement System to approve, under specified conditions, basic health benefit plans and major medical plans offered by employee organizations. Also subject to certain conditions such organizations are authorized to offer such plans to their members under existing law.

This bill would permit an employee who is presently a member of such a plan, and who has terminated his membership with the employee organization, to continue to be eligible for membership in such plan, assuming such employee meets other eligibility criteria and conditions.

Ch. 47 (AB 2415) Maddy. Veterans' property tax exemption: disability rating.

Under existing law, the principal place of residence of a veteran is exempt from property taxation on the first \$10,000 of value of such residence if the veteran is blind in both eyes, has lost the use of two or more limbs or is totally disabled. A veteran is totally disabled, for such purposes, if the United States Veterans Administration has rated the disability at 100 percent or has rated the disability compensation at 100 percent for a specified reason.

This bill would provide, in addition, that a veteran is totally disabled if the military service from which such veteran was discharged has made such a rating of the disability.

This bill would take effect immediately as an urgency statute.

Ch. 48 (AB 2711) Briggs. Vehicles: front axle weight limits. exemption: concrete or cement mix trucks, trucks with fifth wheel, tank trucks.

Existing provisions of state law impose a maximum front steering axle weight limit of 12,500 pounds on vehicles, with specified exceptions, which include a transit mix concrete truck.

This bill would, in addition, exempt from such provisions (1) a truck that mixes concrete or cement at, or adjacent to, a jobsite, (2) a transit mix cement truck, (3) a truck with a front axle at least 4 feet to the rear of the foremost part of the truck, not including the front bumper, (4) a truck equipped with a 5th wheel, when towing a semitrailer and (5) a tank truck with a cargo capacity of at least 1,500 gallons.

The bill would take effect immediately as an urgency statute.

Ch. 49 (AB 1872) Boatwright. Unclaimed property

Existing law provides that specified intangible personal property held in a fiduciary capacity for the benefit of another person escheats to the state if the owner has not within 7 years after it becomes payable or distributable, taken specified action to indicate an interest in the property.

This bill would make a nonsubstantive clarifying change in the above provision.

Existing law requires the State Controller, except as specified, to deduct from the payment of any claim to recover property or proceeds allowed under the Unclaimed Property Law a specified service charge for receiving, accounting for, and managing the money or other property claimed and for processing the claim to recover it.

This bill would delete this requirement.

Existing law authorizes the State Controller to recover interest on unclaimed property owing to the state following a failure to pay over such property within a prescribed time following the Controller's requisition thereof.

This bill would make it clear that in all instances where a person fails to report or pay or deliver unclaimed property within the time prescribed by the Unclaimed Property Law, such person shall be required to pay interest of 12% per annum on such unclaimed property or the value thereof from the date such property should have been paid or delivered.

Ch. 50 (AB 2378) Hart. County or city planning commissions

Existing law requires that each county or city planning commission have at least 5 members, and establishes a maximum of 9 members.

This bill would eliminate the maximum of 9 members on a county or city planning commission.

Ch. 51 (AB 2468) Carpenter. Workers' compensation: volunteers.

The existing law provides that a person who performs voluntary service without pay for a tax-exempt private nonprofit organization shall be deemed an employee of the organization for workers' compensation purposes while performing such service, when the board of directors of the organization, in its sole discretion, so declares.

This bill would, in addition, specify that voluntary service without pay includes the performance of services by a parent, without remuneration in cash, when rendered to a cooperative parent participation nursery school if such service is required as a condition of participation in the organization.

[This bill would take effect immediately as an urgency statute.] *

Ch. 52 (AB 2487) MacDonald. Water resources advisory committee.

Existing law creates a California Advisory Committee with prescribed membership and powers to advise California members appointed to the Western States Water Council or any interstate commission for regional water planning.

This bill would abolish such advisory committee and would delete a provision requiring expenses and compensation of members of the Western States Water Council to be paid from the budget of the advisory committee.

The bill would also provide that the expenses and compensation of the members of the Western States Water Council shall be paid from the budget of the Department of Water Resources

Ch. 53 (AB 2545) Chappie. California Ecology Corps: corpsmen wages.

Recent amendments to the federal Fair Labor Standards Act of 1938 have raised minimum wages.

This bill would appropriate \$1,162,000 to the Department of Conservation, in augmentation of Item 229 of the Budget Act of 1975, for the support of the California Ecology Corps, during the 1975-76 fiscal year, to meet increased costs due to such minimum wage requirements.

The bill would require the Legislative Analyst to conduct a study of the effectiveness of the California Ecology Corps program and report his findings and recommendations to the Legislature on or before January 1, 1977.

The bill would take effect immediately as an urgency statute.

Ch. 54 (SB 1261) Beilenson. Public social services

Under current law each county board of supervisors is required to submit by May 15th of each year a report to various legislative committees giving estimates for the present and forthcoming fiscal years of the average monthly caseloads and grants and the total appropriation and expenditure for certain categories of aid and medically needy developed according to basic assumption issued by the Department of Benefit Payments.

This bill would eliminate such provisions.

Ch. 55 (SB 1262) Alquist. Vehicle: dismantlers: business signs.

Existing law requires an automobile dismantler licensed by the Department of Motor Vehicles (who is thereby authorized to dismantle any type of vehicle subject to registration) to display a sign designating his business as "Automobile Dismantler" or "Automobile Wrecker."

This bill would require the use of additional designations consisting of "Motorcycle Dismantler," "Trailer Dismantler," "Vehicle Dismantler," or a combination of such designations depending on the nature of the dismantler's business

Ch. 56 (SB 1269) Deukmejian. Secretary of State: maintenance of files.

Under existing law the Secretary of State is required to prepare a list of the names of members for each state central committee and to deliver such list to the chairman of each state central committee on the day of the first meeting of each such committee. However, there is no provision under existing law which specifically requires the Secretary of State to maintain such list with respect to members of each county central committee

This bill would specifically require the Secretary of State to keep and maintain a current file listing all members of each state central committee and all members of each

county central committee, which file would be required to be open to public inspection

This bill would also provide that no appropriation is made and the state shall not reimburse local agencies for costs incurred by them pursuant to this bill

Ch. 57 (SB 1309) Collier Veterans home loan benefits.

Under present law, the Department of Veterans Affairs may not acquire a home for purposes of Cal-Vet home loan benefits in which the veteran has an interest of record except in certain specified instances.

This bill would permit the department to acquire a home in which the veteran acquired an interest of record during a specified period when the veteran's farm and home loan benefits were terminated by legislative act and the reestablishment of such benefits provided application is made for a home loan on or before June 30, 1976.

This bill would become effective immediately as an urgency statute and would remain operative only until January 1, 1977, and as of such date would be repealed

Ch. 58 (SB 1319) Alquist. Warehousemen: public utilities.

Existing law declares warehousemen to be public utilities subject to the jurisdiction and control of the Public Utilities Commission and requires that they obtain certificates of public convenience and necessity

This bill would delete from the definition of "warehouseman" for purposes of such regulation cold storage and refrigerated warehouses and plants

Ch. 59 (AB 1385) Vicencia Insurance: spousal coverage

Existing law regulates various aspects of health care service plans, disability insurance, self-insured employee welfare benefit plans, fraternal benefit societies, and nonprofit hospital service plans and their coverages, but does not contain provisions of the kind proposed by this bill.

This bill would prohibit health care service plans, group policies of disability insurance, self-insured employee welfare benefit plans, fraternal benefit societies, and nonprofit hospital service plans which provide in any manner coverage for employees and covered spouses dependent upon such employees from providing coverage under conditions less favorable for employees than coverage provided for covered spouses dependent upon the employees.

Ch. 60 (AB 1996) Nimmo Fish and game: regulation booklet.

Existing law requires the Fish and Game Commission to publish and distribute in booklet form designated regulations and requires such booklet to include specified information relating to the commission, the Wildlife Conservation Board, the Marine Research Committee, the Department of Fish and Game, and the legislative committees.

The bill would revise the information required to be printed in such booklet

Ch. 61 (AB 2807) Briggs. School revenue limit elections

Where the voters of a school district have authorized an increase in the maximum tax rate of the district, such increase commencing during the 1973-74 fiscal year and having a specified termination date existing law provides that the amount of the voted tax increase shall be included in computing the district's 1973-74 revenue limit, and that the amount of the increase, as it so affected the district's revenue limit, shall not be included in revenue limit computations for fiscal years following the specified termination date of the voted tax rate increase

Existing law also prescribes the form of ballot to be used at elections proposing (1) an increase in a school district's existing revenue limit, and (2) the continuance of a previously voted increase in a district's revenue limit.

This bill would prescribe an additional form of ballot to be used at an election of the Buena Park Elementary School District proposing the continuance of a revenue limit which had been increased by the inclusion therein of a voted tax rate increase which took effect during the 1973-74 fiscal year and which had a specified termination date

This bill would take effect immediately as an urgency statute. It would be operative only until June 9, 1976

Ch 62 (AB 2826) Badham. Districts: maps and plats.

Under existing law, if a special district changes its boundaries but does not file a statement and map or plat indicating such changes with the appropriate county assessor and the State Board of Equalization on or before January 1 of the year in which the district's taxes are to be levied, such district may not impose a property tax for the ensuing fiscal year, but it may borrow a sum of money equivalent to the anticipated revenues for such year and increase its tax rate in subsequent fiscal years in an amount sufficient to repay the loan with interest.

In addition, existing law provides for the homeowners' property tax exemption in the amount of \$1,750 of the assessed value of qualified dwellings, and state funds are continuously appropriated to compensate local governmental entities for property tax revenues lost by reason of such exemption.

This bill would provide that the formation of the improvement district in the South Coast County Water District submitted to the voters on June 8, 1976 will be effective for property tax purposes for the 1976-77 fiscal year if the required statements and maps or plats are filed on or before June 30, 1976. The provision authorizing such late filing would be repealed, effective July 30, 1976.

The bill would also declare the findings of the Legislature that the formation of such improvement district in the South Coast County Water District by the merger of the South Laguna Sanitary District does not alter existing taxes and thereby do not alter the existing appropriation to compensate local governmental entities for property tax losses caused by the homeowners' property tax exemption.

The bill further provides that the maximum tax rate for such improvement district shall be \$1 per \$100 of assessed valuation for the purposes of the improvement district as provided by law for sanitary districts.

This bill would also provide that there will be no state reimbursements for costs incurred by local agencies under the bill, and would take effect immediately as an urgency statute.

Ch 63 (AB 164) Cullen Mobilehomes sales.

There is no existing law which requires a mobilehome manufacturer to affix to a new mobilehome manufactured for sale in this state and required to be moved under a permit a label containing a suggested retail price for the mobilehome.

This bill would require the manufacturer of any new mobilehome manufactured on or after January 1, 1977, which is required to be moved under a permit, to affix a label to the mobilehome which contains the manufacturer's suggested retail price and other specified information, if the mobilehome is to be displayed for retail sale in this state. The removal of any such label from the mobilehome by anyone except the retail purchaser would be a misdemeanor.

The bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section, nor appropriation made by this bill to local agencies for a specified reason.

Ch 64 (AB 2262) Chacon. Barbers

Existing law requires, among other things, that a person applying for a certificate of registration to practice barbering must be at least 19 years of age.

This bill would reduce the age to 18.

Existing law provides that a person who has failed to pass an examination to determine his fitness to practice barbering may practice as an apprentice barber for 12 months unless extended for specified reasons.

This bill would provide that no person holding a certificate of registration as a registered apprentice shall work for more than 5 years after failing such examination without applying for and taking such examination unless such period is extended for specified reasons.

Existing law requires a registered apprentice to apply for and take the examination for a barber's certificate within six months of completing the required working time of an apprenticeship.

This bill would eliminate this requirement.

This bill would also make technical, nonsubstantive changes relating to the restoration fee.

Ch. 65 (AB 2418) MacDonald. Schools: interdistrict exchange of certificated employees

Current law permits the employment of exchange certificated employees

This bill would permit such exchanges to be made for a period of up to 3 years and would permit such exchanges to be made permanent at the end of the assignment period with the consent of all parties.

Ch. 66 (AB 2825) Badham. Sanitation districts, directors

Existing law provides that membership on the board of directors of a sanitation district be composed of specified representatives of a sanitary district, city or county which are within the sanitation district upon the conditions specified

This bill would include in such membership on the board of directors of a sanitation district, the representatives of a county water district which is wholly or partly in the sanitation district and which, on or before July 1, 1977, has assumed the responsibilities, rights, duties, assets, liabilities, and obligations of a sanitary district which at the time of such assumption had representation on the board of directors of the sanitation district.

The bill would take effect immediately as an urgency statute.

Ch. 67 (AB 2828) Badham. County water districts, directors.

Existing law provides that the board of directors of a county water district shall have five members.

This bill would permit a county water district, which on or before July 1, 1977, has assumed the responsibilities, rights, duties, assets, liabilities, and obligations of a sanitary district, to increase the number of directors from five to seven, nine, or eleven.

The bill also provides for election of the new directors at the next general district election or at a special election called for such purpose, and the determination of the term of office of each of the new directors

The bill would take effect immediately as an urgency statute

Ch. 68 (AB 1503) Suitt. Insurance disability and health care insurance

Existing law does not prohibit disability insurance policies or self-insured employee welfare benefit plans from containing any provision offsetting, or in any other manner reducing, any benefits under the policy or plan by the amount of, or in proportion to, retirement disability benefits received or receivable under the Federal Social Security Act

This bill would prohibit any disability insurance policy issued, delivered, amended, or renewed on or after January 1, 1977, or any group disability insurance policy or self-insured employee welfare benefit plan entered into, amended, or renewed on or after the later of either the expiration of a collective-bargaining agreement or January 1, 1977, which provides loss of time benefits from containing any provision for a reduction of such benefits during a benefit period because of an increase in benefits payable under the Social Security Act.

Ch. 69 (SB 223) Wedworth. Property taxation. burden of proof.

Under existing law, those agencies administering property tax laws are presumed to be correct in their determinations for purposes of property taxation, and the burden of proof is on a party who would dispute the assessment of property by such agencies.

This bill would provide that there is a rebuttable presumption affecting the burden of proof in favor of a taxpayer or an assessee who has supplied all information required by law to the assessor in any administrative hearing involving the imposition of property taxes on, or the assessment of, an owner-occupied single-family dwelling under the property tax law.

This bill would specify that if such rebuttable presumption is not constitutional as limited to single-family homes, it shall not be broadly construed by a court to allow the rebuttable presumption to all property

This bill further provides that neither an appropriation is made nor an obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to this act for a specified reason.

Ch. 70 (AB 386) Chappie Vehicles tires

(1) Under existing statutory law the use of various specified tires on state highways is prohibited, but an exception, among others, is made for pneumatic tires having metal studs meeting certain specifications. Such tires may be used between December 1st and March 1st, until March 1, 1978

This bill would permit such tires to be used between October 1st and May 1st, until May 1, 1978

(2) Existing law prohibits the sale and use of pneumatic tires that have become worn, as specified in terms of tire tread depth requirements, or that do not comply with specified regulations relating to safety standards. These prohibitions do not apply to a farm labor bus or truck, a schoolbus, an implement of husbandry, a motortruck of 3 or more axles, a truck tractor, a bus, various types of towed vehicles, and a trailer coach, all as specified.

This bill would, with respect to the sale or use of tires that do not comply with such regulations, delete the exception made for such specified vehicles. The bill would, with respect to the sale or use of such worn tires, retain the exception made for implements of husbandry, while deleting the exception for the other specified vehicles, and the bill would also authorize the Department of the California Highway Patrol to adopt more stringent tread depth requirements for such other vehicles.

(3) The bill would provide that notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by this bill for a specified reason.

(4) This bill would take effect immediately as an urgency statute.

Ch. 71 (AB 2321) Antonovich Crippled children's services: financial eligibility

Under existing law, the State Department of Health is required to establish uniform standards of financial eligibility for treatment services under the crippled children's services program and a uniform formula for the repayment of services rendered

This bill would exempt necessary medical therapy treatment services rendered under the crippled children's services program in public schools from the uniform financial eligibility standards and from family repayment requirements when rendered to any handicapped child whose education or physical development would be impeded without such services.

Ch. 72 (AB 2621) William Thomas. County Central Committee.

Present law now provides that a Republican nominee for the House of Representatives or an incumbent Republican member of the House of Representatives shall be a member of the county central committee in only the county in which he resides.

The bill would provide that the nominee Republican for the office of Representative or the person elected at a special election to fill a vacancy in the House of Representatives shall be an ex officio member of each county central committee in each county included within his district

Ch. 73 (AB 1671) McAlister. Partition of property.

This bill would make substantive and nonsubstantive changes, as well as technical and clarifying changes, in a revision of existing provisions of law relating to the partition of real and personal property in accordance with the recommendations of the California Law Revision Commission. This bill would effect a number of changes, including, but not limited to, the following:

(1) Under existing law partition of real property is allowable when several cotenants of real property as joint tenants or tenants in common have an estate of inheritance or for life or years, or when real property is subject to a life estate or remainder over, or where the real property is subject to a lien on a parity with that on which the owner's title is based.

This bill would extend the right of partition to an owner of any estate of inheritance, estate of life or an estate of years in real property where the property or estates therein are owned by several persons concurrently or in successive estates. This bill, however, would eliminate the right of partition where property is subject to a lien on a parity with that on which the owner's title is based unless such action is commenced within one year

of the bill's effective date by the owner or lienholder

This bill would also provide that in cases where there was a partition of successive estates partition would not be allowed unless it is in the best interests of the parties.

This bill would preclude the commencement or maintenance under its provisions of an action between spouses or putative spouses for the partition of community, quasi-community property or their quasi-marital interest in property.

(2) Under existing law partition of real property may be by physical division, unless it can be shown that such division would be with great prejudice to the parties, in which case a sale of the property is ordered.

This bill would revise these provisions so that physical division of the property would be ordered unless a sale of the property would be more equitable than a physical division. This bill would also authorize partial division and sale according to the above criteria of the greatest equity to the parties. This bill would, as an alternative, provide for partition by appraisal upon the agreement of all parties to the action when the interests of all parties are undisputed or have been adjudicated. This manner of partition permits any of the parties to acquire the interests of the others at the value appraised by a referee without a physical partition or normal sale.

(3) Existing law specifies the grounds upon which the partition of a condominium project is granted, including a failure to rebuild or repair a material part within 3 years after its damage or destruction.

This bill would change the period to a period of more than 3 years from the filing of the partition action.

(4) Existing law makes no specific enumeration of judicial enforcement powers in partition actions.

This bill would specify the powers of a court regarding partition actions, including the specification of its power to issue temporary restraining orders and injunctions to prevent waste, to protect the subject property, and to restrain unlawful interference with a partition ordered.

(5) Existing law specifies the contents of a summons and the pleadings of parties to a partition action and the persons to be made parties to the action

This bill would modify the information required to be included in the summons and the pleadings, would permit the party seeking partition to specify the interests that he reasonably believes will be materially affected, would provide for an election as to which estates are to be partitioned, and would make provision for necessary and proper parties

(6) Existing law provides for the appointment of 3 referees to make the physical division of property, or one referee with the consent of the parties, and grants various powers to them; but makes no specific provision regarding the court's authority to regulate referees, except in certain cases such as their appointment, approval of their reports, or their removal

This bill would provide for the appointment of one referee in the first instance or three referees with the consent of the parties, and would specify additional areas in which the court may or is required to regulate and supervise the activities of referees, including the authorization or approval of contracts of the referee for special services connected with the division or sale of the property, such as the employment of an attorney, a surveyor, or an auctioneer.

(7) Existing law contains various procedural provisions, including, but not limited to, the disposition of sale proceeds for certain interest holders of the property and the means and manner of investing proceeds.

This bill would delete these provisions and other provisions deemed obsolete by the commission.

(8) Existing law makes only limited provision for partition sale procedure, including the procedural conduct of public and private sales of real property and sales of personal property.

This bill would provide a detailed procedure for such sales, including, in some instances, incorporation of various provisions governing execution or probate sales; and would permit the court to order the manner of sale on terms and conditions not inconsistent with law.

(9) Existing law provides that the costs of partition include reasonable attorney's fees incurred for the common benefit in the partition action, but attorney's fees are not so included where a party to the action has prosecuted or defended a related action for the

common benefit in protecting, confirming, or perfecting title to the property and the fees were incurred for the common benefit.

This bill would authorize the recovery of attorney's fees as costs of partition in both of the above situations.

(10) Existing law provides that the county in which real property is situated is the proper county for an action for partition, subject to specified grounds entitling the court to transfer such action.

This bill would extend the situs requirement to actions for partition of both real and personal property, and would establish the proper situs for actions involving partition solely of personal property.

(11) Existing law permits the partition of partnership property in proceedings for partnership accounting and dissolution.

This bill would, under certain conditions, permit the application of the bill's general provisions on partition to actions for partition of partnership property where the rights of unsecured creditors of the partnership will not be prejudiced.

Ch. 74 (AB 2301) Ralph. Alcoholic beverages.

Existing law requires each manufacturer, importer, and wholesaler of beer to file and maintain on file with the Department of Alcoholic Beverage Control a schedule of selling prices charged by the licensee for beer sold and distributed by him to licensees under the Alcoholic Beverage Control Act.

This bill provides that such schedule shall be filed for beer sold and distributed to customers in California rather than sold and distributed to licensees under the act.

Ch. 75 (SB 1226) Rodda. Special elections

The law presently provides three dates during the year in which elections may be conducted, and specifies which are to be statewide elections.

The bill would allow a county to conduct an election to fill a vacancy on the board of supervisors on any date provided in the county charter.

Ch. 76 (SB 547) Robbins. State Contract Act: progress payments.

Presently, the State Contract Act requires a contractor to promptly pay his subcontractors a specified amount upon receipt of each progress payment.

This bill would instead require a contractor to pay his subcontractors the specified amount within 10 days of receipt of each progress payment, unless otherwise agreed in writing.

Ch. 77 (AB 877) Murphy. Claims against the state.

This bill would appropriate \$2,141,362.81 from specified funds to the Director of Finance for allocation to the State Board of Control to pay unspecified claims of the Secretary of the State Board of Control and to the Department of Justice for settlement of the claims of specified individuals against the State of California.

This bill is to take effect immediately as an urgency statute.

Ch 78 (AB 1016) Keene. Commercial fishing: salmon and hold inspection certificates.

(1) Existing law provides that under a commercial fishing license, in Districts 6, 7, 10, 11, 15, 16, 17, 18, and 19, silver salmon may only be taken between May 15th and September 30th and king salmon may only be taken between April 15th and September 30th of each year. There is presently no prohibition as to the dates salmon can be landed in California and no requirement that a vessel have a hold inspection certificate prior to landing salmon in this state.

This bill would provide that as to vessels 26 feet or greater in length, silver salmon cannot be landed in California prior to May 25th of each season in Districts 6, 7, 8, 9, 10, 11, 12, and 13 without a valid hold inspection certificate, which certifies the hold of the vessel is empty of silver salmon at the time of inspection, being issued to the operator of the vessel.

The bill would also prohibit the landing of silver salmon in Districts 6, 7, 8, 9, 10, 11, 12, and 13 at any time by any size vessel which is capable of brining or freezing fish, prior to obtaining a valid hold inspection certificate which certifies the vessels' hold is empty of silver salmon at the time of an inspection.

This bill would require the department to make such inspections and issue such hold certificates (1) to vessels capable of brining or freezing fish, upon request, anytime after May 13 of each season, and (2) to all other vessels from May 13th to May 24th of each season.

(2) Under existing law, in Districts 6, 7, 8, 9, 10, 11, 12, and 13 under a commercial fishing license there is no limitation as to the method of taking of, or the period for such taking of, any species of salmon, other than king and silver salmon.

The bill would provide that in such districts, species of salmon other than silver and king salmon may be taken only between April 15th and September 30th of each year and may be taken only by hook and line.

(3) Presently, herring may be taken for commercial purposes without a permit, except in Tomales Bay, San Francisco Bay, and Humboldt Bay. In Tomales Bay and San Francisco Bay, the Fish and Game Commission may limit the number of herring that may be taken pursuant to a permit and the number of permits issued to prevent overutilization and to insure efficient and economic operation. Until June 30, 1976, there is a statutory prohibition that no more than 20 tons of herring may be taken yearly from Humboldt Bay. On July 1, 1976, this statutory prohibition is removed.

This bill would, instead, require a permit to take herring commercially from any ocean area, and permit the commission to limit the number of herring taken and the number of permits issued to prevent overutilization and to insure economic operation wherever herring are taken commercially. Also, the statutory limitation on the tonnage of herring that may be taken from Humboldt Bay would be removed on the effective date of this bill.

(4) The bill provides that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill for specified reasons.

(5) The bill would make additional changes in Section 8550, Fish and Game Code, proposed by AB 562, to be operative only if AB 562 and this bill are both chaptered and this bill is chaptered after AB 562.

(6) This bill would also take effect immediately as an urgency statute.

Ch. 79 (AB 1859) Knox. Depositions upon oral examination.

Existing law, relative to depositions upon oral examination, requires the deposition to be submitted to the witness for examination and reading when such witness' testimony is fully transcribed, unless such examination and reading are waived by the witness and the parties. Existing law also requires the deposition to be signed by the witness unless waived or unless the witness is ill or cannot be found or refuses to sign. When the deposition is not signed, the officer before whom the deposition was taken must sign it and state on the record the reason for the deposition not being signed. Thereafter the deposition may be used as though signed unless it is rejected pursuant to a motion to suppress.

This bill deletes such requirements and instead provides that the witness may, by letter, correct or approve or refuse to approve the deposition for a period of 30 days following notification in writing that the deposition is available for reading, correcting, and signing. If the witness fails to appear within such 30-day period or does not correct, approve, or refuse to approve the deposition by means of a letter, or if the witness otherwise refuses to approve or sign the deposition, the officer before whom the deposition was taken is required to so indicate on the deposition and to file it with the court. The deposition will then have the same force and effect as though it had been read, corrected, and signed by the witness.

The bill also would permit, in the alternative, the parties to agree on the record to another procedure for reading, correcting, and signing the deposition.

The bill also permits the examination and reading of the transcribed testimony to be waived by the witness and by the parties.

Ch. 80 (AB 2332) Foran. Prisoners.

Existing law provides that when a prisoner who is charged or convicted of a misdemeanor is in need of medical or surgical treatment and is removed to a hospital the sheriff or jailer may direct that his guard may be removed while he is in the hospital.

This bill would allow the removal of a guard for a person charged or convicted of a felony if it appears that the prisoner is not physically able to escape or does not constitute a danger to life or property.

Ch. 81 (AB 3468) Lanterman. Local agencies: capital outlay fund.

Existing law provides that money in a capital outlay fund of a local agency may not be used for any purposes except for capital outlays without a vote of the electors.

This bill would provide that notwithstanding the above restriction money may be temporarily loaned to the general fund of a county upon condition that the loan must be repayable from revenue received or accrued during the fiscal year in which the loan is made.

This bill would take effect immediately as an urgency statute and would remain in effect only until June 30, 1977.

Ch. 82 (AB 219) Lockyer. Annual service charge statements.

Existing law contains no provisions requiring annual statements to be furnished by retail sellers disclosing the actual amount of annual finance charges assessed a buyer during the year on retail installment accounts.

This bill requires a retail seller under retail installment accounts whose annual sales exceed \$150,000,000 to annually provide the buyer, not later than March 1 of each year, with a statement of the finance charges assessed the buyer in the previous year.

The bill also provides that the required statement first be furnished not later than March 1, 1979.

Ch. 83 (AB 2250) Perino. Precinct boards: compensation.

Existing law authorizes the county board of supervisors to fix the amount of compensation to be paid to members of precinct boards, including the inspector who is permitted to receive up to \$5.00 more compensation than the other members of the board. Existing law also specifies a maximum amount of compensation that may be paid to members of a precinct board and the inspector, and it specifies the maximum amount of compensation that may be received by certain precinct clerks.

This bill would delete the provisions specifying the maximum amounts of compensation that may be paid to members of a precinct board and the inspector, and the provision specifying the maximum amount of compensation that may be received by certain precinct clerks, leaving such matters to the discretion of the board of supervisors.

Ch. 84 (AB 2325) Perino. Public Employees' Retirement System: contributions.

Existing Public Employees' Retirement Law requires employers to contribute 15.25% of compensation to the retirement fund with respect to state industrial members.

The bill would change that contribution in a specified manner.

Existing law requires the state to make an additional percentage contribution based upon compensation paid to state industrial members.

This bill would repeal that requirement.

The bill would take effect immediately as an urgency statute.

Ch. 85 (AB 2434) MacDonald. Public Employees' Retirement System.

Existing law prohibits any public officer while serving in any elective office in this state from receiving a retirement allowance which is based in whole or part upon service in that office.

This bill would conform the Public Employees' Retirement Law to those provisions

Ch. 86 (AB 2510) Lancaster. School employee annuities

Various provisions of existing law authorize the purchase of annuity contracts for school employees under an annuity plan which meets the requirements of Section 403(b) of the United States Internal Revenue Code.

This bill would authorize a specified procedure involving the designation of disbursing agent banks, to be utilized to make payments to companies providing such annuities for employees of school districts, community college districts, and county superintendents of schools.

The bill would go into immediate effect as an urgency statute

Ch. 87 (SB 1086) Ayala. Improvements: Appropriation: Department of Fish and Game. payment of sewer improvements.

This bill would make an appropriation from the Fish and Game Preservation Fund of \$13,765 to the Department of Fish and Game for disbursement to the Chino Basin Municipal Water District for payment of an assessment levied for sewer improvements pursuant to the Municipal Improvement Act of 1913 and the Improvement Act of 1911.

Ch. 88 (SB 1305) Collier. Floating restrooms.

Under existing law, moneys in the Harbors and Watercraft Revolving Fund are available, when appropriated by the Legislature, for expenditures by the Department of Navigation and Ocean Development for, among other things, grants to a county, city, district, or other public agency for the construction and development of small craft harbor and small craft launching facilities.

This bill would specifically authorize the department to grant such funds, upon their appropriation by the Legislature, to such entities to procure or construct floating restrooms.

Ch. 89 (SB 1045) Stiern. Minors.

Under present law a minor may be adjudged a dependent child of the juvenile court if, among other things, (1) he is in need of proper and effective parental care or control; or (2) his home is an unfit place for him by reason of neglect, cruelty, depravity, or physical abuse of either of his parents, or of his guardian or other person in whose custody or care he is

This bill would specify that where a juvenile court makes a specified finding based upon specified evidence, of designated injuries to a minor, such evidence shall be prima facie evidence of need of proper and effective care, or of the unfitness of his home because of neglect, cruelty, or physical abuse. The bill would also provide that the presumptions created by the bill are presumptions affecting the burden of producing evidence. It would also provide that proof that either parent, the guardian, or other person who has the care or custody of a minor who is the subject of a dependency petition has physically abused, neglected, or cruelly treated another minor shall be admissible in evidence. This bill would also provide that testimony of a parent, guardian, or other person who has the care or custody of a minor made the subject of a specified related hearing shall not be admissible as evidence in any other action or proceeding

Ch. 90 (AB 58) Keysor. Elections: district elections.

(1) Existing law does not authorize districts subject to the Uniform District Election Law to conduct elections by all-mailed ballots. Under such law, elections are held on the first Tuesday after the first Monday in November of each odd-numbered year at polling places within precincts in the district.

This bill would authorize such a district, by resolution of its governing board, to conduct any election by all-mailed ballot. In addition, at the first general election conducted by all-mailed ballot the question would be presented to the voters whether all future general district elections shall be conducted by all-mailed ballot. It would also provide a procedure whereby the question of whether future elections shall be conducted by all-mailed ballots may be presented to the voters at a subsequent general election. General district elections held by all-mailed ballot would be held on the first Monday in September of odd-numbered years. The bill would allow the consolidation of other district elections with the general district election if both are by mailed ballot, would prohibit holding mailed-ballot district elections on regular election dates, and would make related changes.

(2) Existing law requires the county clerk to prepare a list of voters for the general election of a landowner district

This bill would require the secretary of the district to perform this function unless the governing board, by resolution, finds that this function would best be performed by the county clerk.

Ch. 91 (AB 1395) Keene. Water closets

There is no statutory existing law regarding the use of water closets in construction of buildings used for human habitation

This bill would prohibit the construction of new hotels, motels, apartment houses, and dwellings after January 1, 1978, which are equipped with tank-type water closets which use more than an average of $3\frac{1}{2}$ gallons of water per flush and are not approved by the State Department of Housing and Community Development according to specified standards. Such requirement would only be applicable to new additions to, or renovations of, existing structures if compliance would not require substantial modification of the existing plumbing system. The bill would require the department to permit the installation of tank-type water closets equipped with devices reducing average water consumption to no more than $3\frac{1}{2}$ gallons per flush. The department would be required to periodically publish a list of acceptable water closets and devices in its regulations.

This bill would permit a manufacturer to sell water closets which do not meet such requirements in a quantity sufficient to meet the need for water closet installation or replacement in structures other than new hotels, motels, apartment houses, and dwellings, or when authorized by the local enforcement agency.

This bill would permit the local enforcement agency to allow the use of standard flush toilets under specified circumstances. The requirements of the bill would be inapplicable in areas subject to prescribed waste discharge requirements.

The bill would also permit the Commission of Housing and Community Development to suspend the requirements imposed by this bill by adoption of a regulation based upon a determination that there is an inadequate supply of such water closets to meet the need in new construction or that such water closets are not available at a reasonable price.

Violations of the provisions of this bill would be misdemeanors under existing statutory law.

The bill would provide that there would be no reimbursement of, or appropriation to, local governmental agencies for state-mandated local program costs imposed by the bill because of a specified reason.

Ch 92 (AB 2381) Rosenthal Surveys.

Existing law, under the Subdivision Map Act, defines subdivision as the division of any improved or unimproved land, shown on the latest equalized county assessment roll as a unit or as contiguous units, for the purpose of sale, lease or financing, whether immediate or future.

This bill would specify that the Subdivision Map Act would be inapplicable to lot line adjustments between two or more adjacent parcels, where the land taken from one parcel is added to an adjacent parcel, and where a greater number of parcels than originally existed is not thereby created, provided the lot line adjustment is approved by resolution of the local agency.

Ch 93 (AB 2513) William Thomas. Vehicles: permissible length.

Existing law, with specified exceptions, provides that no vehicle shall exceed 40 feet in length.

The bill would provide an additional exception for a motortruck when equipped with a conveyor bed and used solely as a cotton module mover and which does not exceed 48 feet in length.

This bill would take effect immediately as an urgency statute.

Ch 94 (AB 2544) Mobley. Peace officers

Existing law classifies certain persons as peace officers while engaged in the performance of their duties.

This bill would include certain airport security personnel employed and designated by the City of Fresno in this peace officer classification.

This bill would take effect immediately as an urgency statute.

Ch 95 (SB 1235) Cusanovich Recreation and park districts revolving fund limit

Existing law authorizes a recreation and park district to maintain a revolving fund consisting of a maximum of \$200.

This bill would increase this authorized limit to \$500.

Ch. 96 (AB 2380) Chel. Inverse condemnation

Existing law requires a claim to be filed in order to maintain an action against a public entity for taking of or damage to private property pursuant to the California Constitution.

This bill would eliminate the necessity to file such a claim in order to maintain such action. It would, however, require that when such a claim is filed, that it be processed in the manner provided by law for the processing of claims against public entities

Ch. 97 (SB 1109) Richardson. Precinct boards.

Present law prescribes the number and composition of precinct board members. Generally, each precinct board must consist of one inspector, two judges and three clerks. However, the board of supervisors may for any election provide for a different number of election officers, but in no instance may that number be less than four members.

The bill would provide that at all elections except statewide primary and general elections and special elections to fill vacancies in Congress or the Legislature, and elections where ballots are counted manually at the polling place, the precinct board may consist of only one inspector and two or more judges.

Ch. 98 (AB 2550) Brown. Public social services.

Under current law the state pays the matching funds required for federal social services from the state's General Fund as regards in-home supportive services under the State Supplementary Program (SSP).

This bill would appropriate from the General Fund to the State Department of Health for the fiscal year 1975-76 the sum of \$13,255,000 for in-home supportive services.

Under current law a "severely disabled" recipient may qualify for a higher overall maximum in-home supportive service allowance when he requires such care to carry out specified functions of daily living.

This bill would authorize eligibility for the allowance to such recipient for any or all of the specified functions or any other function as determined by the director and require a medical report at the expense of the Department of Health to support such need when requested.

The bill would take effect immediately as an urgency statute.

Ch. 99 (AB 282) Brown. Personal income tax: credits for renters.

Under the existing Personal Income Tax Law, a credit against income tax liability is granted to qualified renters in amounts ranging from \$25 for those with adjusted gross incomes of less than \$5,000 to \$45 for those with adjusted gross incomes of \$8,000 or over. In the event that the amount of such credit exceeds a qualified renter's income tax liability, the excess is paid to him.

This bill proposes to change the amount of the renter's credit to \$37 in all cases, regardless of the amount of a qualified renter's adjusted gross income.

This bill would take effect immediately as a tax levy, and would be applied in the computation of taxes for taxable years beginning after December 31, 1975.

Ch. 100 (SB 1439) Carpenter. Department of Justice: appropriation: fees for information.

Under existing law, the Department of Justice is authorized to impose a fee for providing specified information regarding the criminal history of a person, in order to reimburse the department for its costs in connection therewith. Prior to January 1, 1976, all moneys received by the department for providing such information were continuously appropriated, without regard to fiscal years, for support of the department. Under existing law effective January 1, 1976, all such moneys are required to be deposited in a special account in the General Fund and are available for expenditure by the department to offset its costs when appropriated by the Legislature therefor, rather than being continuously appropriated without regard to fiscal year.

This bill would appropriate \$1,590,568 to the Department of Justice from such special account for such purpose.

The bill would take effect immediately as an urgency statute.

Ch. 101 (AB 2509) Davis. State Board of Forestry.

Under existing law, the compensation of members, other than the chairman, of the State Board of Forestry is limited to a maximum of \$2,000, and the compensation of the chairman is limited to \$2,500, in any one fiscal year.

This bill would increase such maximum compensation of members of the board, other than the chairman, to \$4,000, and such maximum compensation of the chairman to \$5,000.

Ch. 102 (AB 2409) Murphy. Counties: boundaries.

Existing law describes the boundaries of the various counties.

This bill would revise the descriptions for Santa Cruz and Santa Clara Counties with respect to their common boundary.

Ch. 103 (AB 2251) Perino. School elections: ballot arguments.

The law currently requires that where more than one argument for, or more than one argument against, a proposed school district ballot proposition is submitted, only one of such arguments shall be selected to appear in the ballot pamphlet. The law establishes a list of priorities for determining which of such arguments shall be selected to appear in the ballot pamphlet. The law also provides for the appointment of a committee to choose from among those arguments having the same priority.

This bill would designate arguments submitted by the bona fide sponsors or proponents of the measure as the category of second priority, a category which is not presently among those enumerated.

Ch. 104 (AB 1919) Craven. Public transportation: contract: county with operator

Under the Mills-Alquist-Deddeh Act, the apportionment for any area is that proportion of the annual revenues anticipated to be received in the local transportation fund that the population of the area bears to the county population. That act, among other things, authorizes a county to contract with an operator to provide public transportation services in the county, and authorizes such an operator to include in its claim the claim of the county. Payments for claims filed for an area may not exceed its apportionment and are required to be approved by the transportation planning agency.

This bill would authorize, except in the County of Los Angeles, the transportation planning agency to approve the claim filed for an unincorporated area by an operator which is serving that area pursuant to a contract with the county, even though the amount of the claim exceeds the apportionment for the area, if the amount is approved by the county.

Ch. 105 (AB 2265) Mori. Teachers' Retirement System, State. service credit.

Existing State Teachers' Retirement Law generally limits receipt of service credit to that performed in public schools in this state.

This bill would permit members and retirants to receive credit for time served in child care centers operated by a county superintendent of schools or a school district upon payment of specified contributions and interest, or, in the case of retirants, the value of such service.

Ch. 106 (AB 2410) Suitt. Weights and measures

Under existing law, the form used by a public weighmaster known as the "state certificate of weights and measures" must provide for the complete signature of the weighmaster or deputy weighmaster. There is no provision for signature by an automatic weighing system.

This bill would provide that in the case of an automatic system, signature, as used on the "state certificate of weights and measures," may be defined by regulation.

This bill would take effect immediately as an urgency statute.

Ch. 107 (AB 2490) Carpenter. Mobilehomes. clothes washer and dryer

Under existing law, it is unlawful for a mobilehome occupant to use [, and it is unlawful to cause or permit the occupancy of a mobilehome in which the occupants use,] * any water heater or clothes washer or dryer requiring plumbing, mechanical, gas, or electrical connections unless the water heater or clothes washer or dryer is within the mobilehome or in a building approved by the Department of Housing and Community
2—602

Development. [Existing law also prohibits the interconnection of such an appliance located outside the mobilehome with the plumbing, mechanical, gas, or electrical system of the mobilehome.] *

This bill would repeal such provisions of existing law

Ch 108 (AB 2508) Murphy. Courts

Existing law provides for 3 municipal court judges in Santa Cruz County

This bill would increase the number of municipal court judges in Santa Cruz County from 3 to 4

The bill would provide that no appropriation or reimbursement of local agencies is made for costs incurred by them pursuant to this bill for a specified reason.

Ch 109 (AB 2581) McAlister. Modification of contracts.

Existing statutory law applicable to contracts other than contracts for the sale of goods provides that a contract in writing may only be altered orally by an oral agreement executed by both parties, while court decisions have developed additional theories and rules governing the oral modification of written contracts

This bill amends existing statutory law to reflect the additional rules and theories governing oral modification of written contracts developed by case law. Specifically, it recognizes modification of a contract where the rules of law concerning estoppel, oral novation and substitution of a new agreement, oral rescission, waiver of conditions of written contracts, or oral independent collateral contracts are applicable

Existing case law permits modification of a written contract by an oral agreement supported by new consideration where the party seeking enforcement of the oral modification has executed his part of the agreement.

This bill extends the above case-law rule by deleting the requirement of performance by the party seeking enforcement of the oral modification; however, compliance with the statute of frauds is required if the contract as modified is within its provisions

This bill specifies that its application is prospective only and that the existing provisions of law governing the modification of contracts shall apply to contracts made prior to the bill's effective date.

Ch. 110 (AB 2595) Lanterman. Community Mental Health Services: conservatorship.

Under existing law, a conservatorship initiated pursuant to provisions of the Lanterman-Petris-Short Act automatically terminates one year after the appointment of the conservator by the superior court.

This bill would permit the extension of such period of termination upon petition of the conservator to the superior court in certain specified instances.

This bill would take effect immediately as an urgency statute

Ch 111 (AB 2687) Thurman. Property taxation: veterans' exemption. late filing

Under existing law, claims for the veterans' exemption must be filed between March 1 and April 15 of the calendar year in which the fiscal year for which the exemption applies begins.

This bill would provide for the late filing of claims for the veterans' exemption until December 1 and allow for granting 80% of the exemption for the 1976-77 fiscal year and thereafter

The bill specifies that notwithstanding Section 2229 or 2231, Revenue and Taxation Code, there shall be no reimbursement to local agencies pursuant to the bill because of specified reasons.

This bill would take effect immediately as an urgency statute

Ch 112 (SB 1340) Alquist. Seismic Safety Commission: membership and termination.

Under existing law the Seismic Safety Commission includes one member appointed from the Senate by the Senate Rules Committee and one from the Assembly appointed by the Speaker of the Assembly. The existence of the commission will terminate on the 61st day after final adjournment of the 1975-76 Regular Session

This bill would allow each of the members appointed from the Legislature to designate an alternate. It would specify that a majority constitutes a quorum, and that all members shall represent the general public interest. It would extend the termination date of the commission until January 1, 1981.

Ch 113 (AB 2352) Gualco Property taxation: proceeds of sale of tax-deeded property

Existing law provides that proceeds from the sale by the state of property which has been deeded to the state for nonpayment of property taxes, after satisfaction of certain local costs, are apportioned to the taxing agencies according to the amount of taxes and interest necessary to redeem such property at the time of sale by the state, and the balance of surplus proceeds remaining are distributed to the taxing agencies.

This bill would authorize the reimbursement of \$150 for costs of administering such sale to the county which conducts such sale, and would further authorize the distribution of the balance of the remaining surplus proceeds first, to certain lienholders of record, and then to any person who would be established with title of the property sold by the state by redemption of such sale immediately prior to the sale by the state if it is claimed within 1 year after the date of the sale by the state. The bill would also specify that the deed conveying title to the purchaser of the property is subject to any unpaid assessments under the Improvement Bond Act of 1915.

Under the Improvement Act of 1911, following a sale of land for nonpayment of street improvement bonds, the treasurer is required to hold in trust, during the redemption period or until redemption is actually made, any surplus money remaining from the sale after payment of the bond, plus interest, penalties, and cost of sale. In the event of redemption, the treasurer is required to pay that entire sum to the holder of the certificate of sale. In the event there is no redemption, the treasurer is required to pay the surplus money to the person who was the owner of record prior to the issuance of the treasurer's deed, if he can be found.

This bill would alter the order of payment of such surplus money if there is no redemption, to give priority to such money to the lienholders of record prior to the issuance of the treasurer's deed, in the order of their priority, before paying any money to such owner of record. Further, this bill would require payment of such money to the taxing agencies in the event such owner of record cannot be found within a 3-year period following such sale.

This bill further provides that there shall be no reimbursement to local government for administrative costs incurred pursuant to this act for a specified reason.

Ch 114 (AB 2730) Lanterman. Validations.

This bill is the First Validating Act of 1976 and validates the organization, boundaries, acts, proceedings, and bonds of counties, cities, and specified districts, agencies and entities

This bill is to take effect immediately as an urgency statute.

Ch. 115 (AB 52) Keyser. Elections.

Present law requires that nomination papers contain a statement indicating that a candidate or group of candidates and each signer of the nomination papers did not vote at the immediately preceding primary election in which a candidate was nominated for the office mentioned in the nomination papers. The law also requires that the nomination papers contain signatures of voters of the area for which the candidate is to be nominated equal to not less than 5 percent nor more than 6 percent of the entire vote cast in the area at the preceding general election. Present law also requires that the nomination papers must be prepared, circulated, signed, verified, and left with the county clerk for examination, or for examination and filing, no earlier than 84 days before the election.

The bill would delete a portion of the information required to be contained in the nomination papers. Specifically, the candidate or group of candidates would no longer be required to state that the candidate and each signer of the candidate's nomination paper did not vote at the immediately preceding primary election at which a candidate was nominated for the office sought by the candidate

Secondly, the bill reduces the number of signatures required on the nomination papers to, in the case of statewide offices, not less than 1 percent of the entire number of registered voters of the state at the time of the close of registration prior to the preceding general election, and, in the case of other offices, to not less than 3 percent of the entire number of registered voters in the area at the time of the close of registration prior to the preceding general election. The bill also provides that nomination

papers may be prepared, circulated, signed, verified and left with the county clerk for examination, or for examination and filing, no earlier than 120 days before the election.

Finally, this bill would take effect immediately as an urgency statute.

Ch. 116 (SB 1005) Rodda Public Employees' Retirement System: local members

Existing Public Employees' Retirement Law permits retirement benefits of certain specified local miscellaneous members of the Public Employees' Retirement System to be increased by 15% with respect to members whose retirement or death before retirement occurred prior to July 1, 1971, in addition to cost-of-living adjustments, if the benefit is elected by employing contracting agencies.

This bill would make that provision also applicable to other local miscellaneous members. The bill would take effect immediately as an urgency statute. The bill provides that no reimbursement would be made to local agencies for their costs because of specified reasons.

Ch. 117 (SB 798) Nejedly Public transportation: local transportation funds: transit district.

Under the Mills-Alquist-Deddeh Act, no city or county within the area of a transit district is eligible for funds under that act, unless it is an included municipal operator.

"Included municipal operator," for purposes of that act, is defined to mean a city or county included within a transit district or a city which has retained the right to join the transit district at a later time under the transit district's enabling legislation, and in which city or county public transportation services have continuously been provided since at least January 1, 1971, by the city or county, by a nonprofit corporation or other legal entity wholly owned by the city or county, or by the University of California. The City and County of San Francisco is an included municipal operator.

This bill would redefine the term "included municipal operator" in that act to mean also the City and County of San Francisco and the Counties of Alameda and Contra Costa, with respect to any portion of the unincorporated areas thereof, and any city in those counties which is outside the area of the Alameda-Contra Costa Transit District and which is not receiving adequate local public transportation services from any of the transit districts which include them, as determined by the Metropolitan Transportation Commission, taking into consideration specified criteria.

The bill would require that the allocations from the apportionment for such an area to a city or county be used only to contract with an operator for public transportation services in that area. If the Metropolitan Transportation Commission determines that it is not feasible, on the basis of cost, among other things, to contract with an operator for public transportation services, the city or county may use the allocations for either or both of the following:

(a) Development and operation of a public transportation system.

(b) Such service received under contract from an operator providing such service since at least July 1, 1972, or from a common carrier of passengers under the jurisdiction and control of the Public Utilities Commission.

The bill would require the system or the service, as the case may be, to be consistent, as determined by the Metropolitan Transportation Commission, with the regional transportation plan.

Ch. 118 (AB 1227) Tucker Los Angeles [County] * Flood Control District: condemnation.

Under existing law, the Los Angeles [County] * Flood Control District may acquire lands, rights of way, easements, privileges and property of every kind, and to take any property necessary or proper to carry out the objects or purposes of the district.

This bill would authorize the district to acquire the fee simple of any real property in which the district has obtained surface easement rights upon finding by the board of supervisors that acquisition will allow more efficient use or compatible uses of the land.

Ch. 119 (SB 1464) Russell. School district revolving funds.

Existing law provides that the amount of a school district's revolving fund shall not exceed an amount from the general fund of the district equal to the a.d.a. of the district for the next preceding year multiplied by \$15. The same limitation is applicable to

common revolving funds established for two or more districts.

Existing law also provides that the amount of any revolving fund once established may be increased to an amount from general funds not in excess of the a.d.a. of the next preceding year multiplied by \$15 plus such amounts as the governing board may appropriate from other funds of the district.

This bill would delete the above-mentioned provisions.

Ch. 120 (SB 1603) Behr. Appropriation: Department of Justice: antitrust program.

The Budget Act of 1975 (Chapter 176, Statutes of 1975) contained an item of appropriation for the support of the Department of Justice for the 1975-76 fiscal year.

This bill would augment such item by appropriating \$193,830 from the Attorney General Antitrust Account in the General Fund for the antitrust program of the department. The bill would require that any unencumbered balance remaining from such appropriation as of June 30, 1976, be reverted and redeposited in the account.

The bill would take effect immediately as an urgency statute.

Ch. 121 (AB 3240) Lanterman. Medi-Cal.

Under current law the state provides funds to the counties for the administrative costs of the Medi-Cal program.

This bill would require such funds to be paid monthly in advance to the counties for such costs.

This bill is an urgency statute and would take effect immediately.

Ch. 122 (AB 2547) Chimbole. Antelope Municipal Court.

Under existing law the Antelope Municipal Court District has one judge and one jury commissioner.

This bill would provide for two judges in the Antelope Municipal Court District and eliminate the position of jury commissioner on and after the date a vacancy occurs in the commissioner's position or January 29, 1980, whichever is earlier.

The bill would provide that no appropriation or reimbursement of local agencies is made for costs incurred by them pursuant to this bill for a specified reason.

Ch. 123 (AB 2569) Gualco. Food stamps.

Under existing law the Department of Benefit Payments through county welfare departments administers the distribution of food stamps pursuant to the Federal Food Stamp Act of 1964.

This bill would, to the extent authorized by federal law, enable the director of the department to initiate a pilot project to plan, develop, implement and utilize in designated counties alternative food stamp control systems and distribution methods, and would permit the director to contract out for such alternative systems and methods. The bill would also authorize the director to make a report to the Joint Legislative Budget Committee on any project that has demonstrated its effectiveness in carrying out the purposes of the project.

The bill would specify that such project be of limited duration and would require the Legislative Analyst to report to the Legislature on specified findings.

The bill would permit the director to utilize the funds allocated in the Budget Act for food stamp administration for pilot project purposes to the extent the department assumes the counties' function under the project.

The bill would take effect immediately as an urgency statute and become inoperative five years after its effective date.

Ch. 124 (AB 2795) Burke. School districts: legal counsel.

The law currently authorizes school districts and county superintendents of schools to appoint legal counsels to perform certain legal duties.

This bill would specify that legal counsels may be compensated as employees or as independent contractors.

This bill would define "legal counsel" to include a sole practitioner, partnership, or a law corporation.

This bill would take effect immediately as an urgency statute

Ch. 125 (SB 1602) Alquist State school building aid.

Under the State School Building Aid Law of 1952, proceeds from the sale of state school building aid bonds are made available for loan to school districts for school construction purposes. School districts applying for an apportionment under the 1952 act can be required by the State Allocation Board to sell district bonds and commit the proceeds thereof to the project.

Under the 1952 act, a district, in order to qualify for an apportionment, must have a specified level of outstanding bonded indebtedness.

This bill would enable a district not having a specified level of outstanding bonded indebtedness to qualify for an apportionment if it has sold, as a condition to receiving an apportionment, an amount of bonds equal to the total cost of the project for which the apportionment is made.

Under the 1952 act, if the actual cost of a project exceeds the estimate upon which an initial apportionment has been made, an additional apportionment to cover the excess costs may be made under certain conditions, and if such additional apportionment occurs within 2 years of the original apportionment, the district cannot be required to issue additional bonds.

This bill would permit the State Allocation Board, in such cases, to require a district to issue bonds in connection with an additional apportionment covering excess costs, if the district, as a condition to the initial apportionment, [has] * sold an amount of bonds equal to the total cost of the project and such initial apportionment was made pursuant to a specified provision exempting the district from meeting the prescribed level of outstanding bonded indebtedness.

Under the 1952 act, apportionments may be made either by way of direct payment or by reimbursement to a district for its expenditures or for its prior commitments, but if expenditures or commitments were made prior to the district's application for an apportionment, payment or reimbursement for such items may be made only upon special authorization of the State Allocation Board.

This bill would remove the requirement for such special authorization with respect to construction contracts which the district had let within the 2-year period preceding the district's application for an apportionment.

A school district's eligibility for state aid under the 1952 act is determined, in part, upon the extent of "adequate school construction" existing in the district.

This bill would exclude from the computation of "adequate school construction" existing in an applicant district, facilities which were financed and constructed from the proceeds of a tax levied for the purposes of providing meals for needy pupils.

This bill would take effect immediately as an urgency statute.

Ch. 126 (SB 63) Kennick. Medi-Cal: eligibility

Under existing law Medi-Cal categories of eligible individuals include categorically related adults and families and noncategorically related persons and families. The maintenance level for noncategorically related persons is based on financial eligibility for AFDC. The maintenance level for categorically related persons is based on the need standard under the Aid to Families with Dependent Children program (AFDC) or for a single individual a percentage of the need standard for a 2-person family.

This bill would define the medically needy as related to aid categories and the medically indigent as not related to the aid categories.

The bill would establish the maintenance level for aged, blind or disabled medically needy at the payment level under the state supplementary program for aged, blind and disabled. For other medically needy and the medically indigent the bill would establish the maintenance level at 133½ percent of the AFDC and payment level, except that for a single individual or a family of 11 persons or more, other amounts are specified.

The bill would also provide the same property limits for the medically indigent as for the medically needy.

Under the current Medi-Cal regulations there is a three-month period of liability for a recipient to contribute toward the cost of his care.

This bill would provide that such period be for no longer than one month.

This bill would also become effective immediately as an urgency statute and operative July 1, 1976, or 60 days after taking effect, whichever is later.

Ch 127 (SB 189) Roberti Vehicle offenses: mailed bail and penalty assessment for forfeiture

(1) Existing statutory law provides for forwarding by mail of deposits of bail for certain traffic offenses in connection with a plea of not guilty, but does not provide specifically for the mailing of a deposit of bail by a person who intends to forfeit bail.

This bill would permit, except when personal appearance is required by the bail schedule established under Section 1269b of the Penal Code, a person charged with an offense constituting an infraction or misdemeanor under the Vehicle Code, or under a city or county ordinance or resolution relating to traffic offenses, who intends to forfeit bail and to pay any penalty assessment, to forward bail and any penalty assessment by mail. This bill would specify the time and manner in which such payment shall be made, the legal effect of such a payment of bail, and the disposition of such amounts when paid.

(2) The bill would provide that there shall be no reimbursement of any local agency and no appropriation made by this bill for any costs incurred by a local agency pursuant to the bill for a specified reason.

(3) This bill, if enacted, would become operative January 1, 1978.

Ch. 128 (SB 503) Petris. Alcoholic Beverage Tax Law: military exemption repeal.

Under existing law, an excise tax is imposed on all beer, wine, and distilled spirits sold in this state and on beer, wine, and distilled spirits sold by manufacturers, rectifiers, or wholesalers, or sellers of such with respect to which no tax has been paid within areas over which the federal government exercises jurisdictions at rates based upon various formulas calculated according to volume and weight.

Such existing law exempts from such excise tax that beer which has been sold by licensed beer manufacturers or beer wholesalers to instrumentalities of the armed forces of the United States which are located within the geographical boundaries of the state.

This bill would repeal such exemption.

This bill would take effect immediately as a tax levy and would become operative on January 1, 1980.

Ch. 129 (AB 809) Duffy Conflicts of interest

Existing law contained in the Political Reform Act of 1974 does not require judges and district attorneys to file the financial disclosure statements required of legislators and certain others. This bill subjects judges of courts of record and district attorneys to such financial disclosure requirements. This bill also clarifies the Political Reform Act of 1974 by specifying the Fair Political Practices Commission as the body with which such financial disclosure statements must be filed. This bill provides that a copy of the financial disclosure statement of a judge of a court of record shall be filed with the clerk of his court.

The bill would appropriate \$10,000 to the Fair Political Practices Commission for the fiscal year 1976-77 for costs incurred pursuant to the act.

The bill would further provide that no appropriation or reimbursement of local agencies is made for costs incurred by them pursuant to this bill for a specified reason.

The bill would take effect immediately as an urgency statute.

Ch 130 (AB 1747) Maddy and Joint Committee on Legal Equality. Civil law.

Existing law specifies that a husband is not bound to maintain his wife's children by a former husband.

This bill would extend this provision to include either spouse.

Existing law provides that every man shall support his wife, and his child, and his parent when in need, every woman is required to support her child, and her husband and her parent when in need.

This bill would instead provide that every person shall support his or her spouse, child, or parent when in need.

The bill would also revise and make substantially identical the circumstances required by statutes to be considered by a court in determining the amount and duration of spousal and child support to: the earning capacity and needs of each party or spouse, the obligations and assets, including the separate property, of each, the duration of the marriage; the ability of the obligee or the supported spouse to engage in gainful employment without interfering with the interests of the dependent children in the custody

of the obligee or the spouse; the time required for the obligee or the supported spouse to acquire appropriate education, training, and employment; the age and health of the parties; the standard of living of the parties; and any other factors which the court deems just and equitable.

This bill would require a court ordering payment of spousal support in a marriage dissolution or separation proceedings to, at the request of either party, make appropriate findings with respect to the circumstances.

Existing law authorizes orders of modification or revocation of such spousal support orders to be made retroactive, with specified exceptions

This bill would also revise such provision to: condition such authorization upon the request of either party; and require, at the request of either party, that such orders include findings of fact.

This bill would also make other related and technical changes.

Ch 131 (AB 2480) Lewis. Motor vehicles: exhaust emission information.

Under existing law, all new motor vehicles sold and registered in this state required to meet specified emission standards must have a decal affixed to the motor vehicle that shows exhaust emission information which is based on quality audit tests of assembly line motor vehicles and certification fleet data for 1975 and 1976 model year motor vehicles and which is based, for each 1977 and later model year vehicle, on the assembly line test for that motor vehicle.

This bill would delete the requirement that the exhaust emission information on the decal for each 1977 and later model year motor vehicle be based on the assembly line test for that motor vehicle. The bill would also authorize the State Air Resources Board to adopt a regulation to prohibit the sale and registration of new motor vehicles in this state unless the manufacturer discloses such information on the decal for 1976 and subsequent model year motor vehicles based on the quality audit test of assembly line motor vehicles (or, if required by the state board, as determined by the factory assembly line test for that motor vehicle) and certification fleet data, if the board finds that the regulation is (1) necessary to enforce or assure compliance with applicable statutes, standards, or procedures relating to vehicle emissions or (2) necessary for the protection and information of consumers.

Ch. 132 (AB 2677) Rosenthal. Homesteads.

Existing law provides that heads of families and persons 65 or over may claim a homestead exemption of \$20,000 in actual cash value and all other persons may claim a homestead exemption of \$10,000 in actual cash value

This bill would increase the actual cash value which may be claimed as a homestead by heads of families and persons 65 or over to \$30,000 and for other persons to \$15,000.

Existing law automatically increases the amount of the homestead exemption applicable to homesteads filed prior to January 1, 1971, to the amount of the exemption existing on such date to the extent that such increase does not impair or defeat the right of any creditor to execute upon the property which existed prior to such period.

This bill would provide for the additional increase of the exemption to the amount provided for in the bill for those declarations filed prior to January 1, 1977, to the extent that such increase does not impair or defeat the right of any creditor to execute upon the property which existed prior to such date.

Ch. 133 (AB 2734) Maddy. Chowchilla Memorial Hospital District: indebtedness

(1) Under the Local Hospital District Law, a hospital district is authorized, when funds are needed to meet current expenses of maintenance and operation, to borrow money on certificates of indebtedness or other evidence of indebtedness, in an amount not exceeding \$0.05 on each \$100 of assessed valuation of the district for a period not exceeding 5 years and at an interest rate not exceeding 8% per annum.

This bill would enact special provisions applicable solely to the Chowchilla Memorial Hospital District authorizing the district to engage in such borrowing up to \$0.40 per \$100 of assessed valuation until January 1, 1980.

(2) Existing law grants the homeowners' property tax exemption in the amount of \$7,000 of the full value of qualified dwellings and continuously appropriates state funds for subventions to local government to compensate for property tax revenues lost by

reason of such exemption.

This bill would increase the amount of such appropriation by authorizing an increased rate of property tax.

(3) This bill would take effect immediately as an urgency statute

(4) This bill would be operative only if the voters of the Chowchilla Hospital District approve a bond measure and tax override at an election held on March 2, 1976.

Ch. 134 (AB 2710) Knox. Counties' expenditures for fixed assets.

Existing law provides that for purposes of the county budget and tax levy provisions of the Government Code (Ch. 1 (commencing with Sec. 29000), Div. 3, Title 3), the term "fixed assets" means land, structures and improvements and equipment but excludes county roads.

This bill would also exclude flood control projects from the meaning of the term for this purpose

Ch. 135 (AB 2723) Wornum. Golden Gate Bridge, Highway and Transportation District: Board of Directors.

Under existing law there are 18 members of the Board of Directors of the Golden Gate Bridge, Highway and Transportation District, and the board is composed, among others, of 3 directors representing Marin County. With respect to directors representing Marin County, existing law requires that they be appointed by the board of supervisors and that one be an elected member of the board and another be an elected member of a city council within Marin County and be designated by the Marin Council of Mayors and Councilmen.

This bill would increase the total number of directors to 19 by increasing the number of directors representing Marin County from 3 to 4. The bill would also require that one of such directors be a member of the general public.

Ch. 136 (AB 2760) Sieroty. Work furlough.

Existing law does not authorize the work furlough administrator to enter into contracts with public or nonprofit private agencies for housing, sustenance, counseling, and supervision of work furlough inmates. This bill would provide such authorization if approved by the board of supervisors

Existing law provides for the establishment of a county department of corrections but does not provide for the performance by its director of the duties of the work furlough administrator. This bill would so provide

Existing law provides for the sheriff to transfer custody of such prisoners to the work furlough administration

This bill would also authorize the director of the county department of corrections to transfer such custody

This bill would take immediate effect as an urgency statute

Ch. 137 (AB 2837) Burke. Destruction of court records.

Existing law provides that the county clerk may cause to be destroyed all documents in any action or proceeding in the superior court after various time periods have elapsed and the action or proceeding is not pending or on appeal.

This bill would permit the records of an action which has been dismissed to be destroyed at any time following entry of the dismissal of the entire action.

Ch. 138 (SB 1284) Wedworth. Motor vehicles: wheel lock master keys

Existing law prohibits, as a misdemeanor, the possession, use, or sale of a motor vehicle master key, but there is no specific prohibition against the possession, use, or sale of a motor vehicle wheel lock master key

This bill would make it a misdemeanor for any person to possess a motor vehicle wheel lock master key, as defined, with an intent to use it in the commission of an unlawful act or to use such a key to open a wheel lock on any motor vehicle with the intent to commit an unlawful act. It would also be a misdemeanor for any person to knowingly manufacture for sale, advertise for sale, offer for sale, or sell such keys, except to persons who use such keys in their lawful occupations or businesses

The bill would provide that notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by the bill for a specified reason

The bill would take effect immediately as an urgency statute.

Ch 139 (SB 1393) Stull. Municipal water district. standby charges

Existing law permits a municipal water district to fix, levy and collect water, sewage and waste water service standby assessments or availability charges in the district, any portion thereof, or in any improvement district by ordinance adopted after mailed and published notice and hearing. The maximum amount of such charge is \$10 per acre or per lot of less than one acre per year.

This bill would, as an alternative procedure, permit a municipal water district which had, for the three preceding years, fixed, levied and collected such a water, sewage or waste water standby assessment or availability charge pursuant to existing law, to fix such assessments or charges by resolution on property which was previously assessed or charged for such purposes. For new owners or for a proposed increase in the rates, publication and mailed notice to the owners of the property as shown on the last equalized assessment roll and hearing on objections or protests to the proposed changes would be required.

Ch. 140 (AB 1834) Deddeh. Municipal court judges: San Diego County.

Existing law provides for 22 judges in the San Diego Judicial District. Provisions which became operative July 1, 1975, required, as each of the next two vacancies occurred after that date in the number of judges, that there be a corresponding reduction in the number of authorized judges, but not to fall below 20.

This bill would eliminate the provisions which required, operative July 1, 1975, the reduction in the number of authorized judges from 22 to 20, and thus the number of municipal court judges in the San Diego Judicial District would remain at 22.

The bill would also provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by this bill for a specified reason.

Ch 141 (AB 2472) Perino. Reclamation Board. notice requirements

Under existing law the Reclamation Board must approve every plan of reclamation, flood control, drainage, improvement, dredging or work, that includes or contemplates the construction, enlargement, redevelopment or alteration of any levee, embankment, canal or other excavation along the Sacramento or San Joaquin Rivers or their tributaries or adjacent lands before construction is commenced. There are no specific notice requirements concerning application for such approval.

This bill would require the board to acknowledge receipt of all applications in writing within 10 days and to act upon all applications within 90 days of receipt or, in the case of applications subject to the Environmental Quality Act of 1970, within 180 days of receipt. The bill would also require applicants to identify the names and addresses of contiguous landowners, and would require the board to inform applicants and contiguous landowners so identified of the staff recommendations. The bill would exclude emergency permits from the application of such provisions.

Ch 142 (AB 2724) Kapiloff. Property taxes.

Existing law specifies certain dates for the tax collector to attend at the auditor's office with the secured roll and the delinquent roll, but does not require him to make a collections report.

This bill would delete or change various of such dates and would provide that annually, on or before August 10th, the tax collector shall make a collections report on the secured roll and, if one is prepared, the delinquent roll, and make it or them available to the auditor for purposes of audit.

The bill would also make minor related changes.

The bill would further provide that no appropriation or reimbursement of local agencies is made for costs incurred by them pursuant to this bill for specified reasons.

Ch 143 (AB 2761) McAlister. Eminent domain relocation assistance

The existing law contains comprehensive provisions which require public entities, as defined, to provide relocation advisory assistance to any person, business, or farm operation, as defined, displaced because of the acquisition of real property for public use and to compensate displaced persons and dwelling owners.

This bill would require a person, as defined, that acquires real property pursuant to

specified provisions of the law relating to eminent domain, to provide relocation advisory assistance and make any of the payments required to be made by public entities in accordance with prescribed rules and regulations.

Ch. 144 (AB 2855) McAlister. Out-of-state trusts.

Existing law provides for the court supervision of administration of trusts in this state generally and for transfer of California trusts out of state pursuant to specified procedure.

This bill would provide procedures for the acceptance of trusts transferred from out of state.

Ch. 145 (AB 2895) McAlister. Claim and delivery.

Under existing claim and delivery law if a writ of possession is issued the court may also issue an order directing the defendant to transfer possession of the property to the plaintiff. The order is required to contain a notice to the defendant or the party in possession of the property that the failure to turn over possession of the property to the plaintiff may subject the defendant or the party in possession to contempt of court or arrest.

This bill would eliminate the alternative requirement of giving such notice to the party in possession and the subjection of the party in possession to contempt or arrest, and would eliminate the subjection of the defendant to arrest independent of contempt proceedings.

Ch. 146 (AB 2991) Lockyer. Bank and corporation tax refunds and credits. interest.

Existing Bank and Corporation Tax Law provides that the last day in which a tax return must be filed shall be the day that overpayments of such taxes shall be deemed made, for purposes of computing interest on the amount of such overpayment. Interest on credits or refunds of estimated taxes is computed from the due date of the payment of the estimated tax, or the date of payment of the tax or allowance of the credit, whichever is later.

This bill would, instead, require that the last day in which a tax return for the income year must be filed shall be the date that overpayments of such estimated tax shall be deemed to have been made, for purposes of computing interest on credits or refunds of such estimated taxes.

Under existing Bank and Corporation Tax Law, there is no limit on the amount of time for which interest on refunds or credits is paid.

This bill would provide that if any overpayment of bank and corporation taxes is refunded or credited within 90 days after the return is filed or ~~with~~ [within] * 90 days after the last day prescribed for filing the return of such tax, whichever is later, no interest shall be allowed on such overpayment.

This bill would apply to interest accrued on or after January 1, 1977.

Ch. 147 (AB 2769) Torres. Peace officers

Existing law makes various persons peace officers with specified powers and duties, including Los Angeles City and Contra Costa County Housing Authority patrol officers, but not including Los Angeles County Housing Authority patrol officers.

This bill would make Los Angeles County Housing Authority patrol officers peace officers with authority extending to any place in the state as to a public offense committed respecting persons or property, the protection of which is the immediate duty of such officer.

This bill would incorporate additional changes in Section 830.4 of the Penal Code proposed by SB 1436, to be operative only if SB 1436 and this bill are both chaptered and become effective January 1, 1977, and this bill is chaptered last.

Ch. 148 (SB 69) Wedworth Paramedics.

The Wedworth-Townsend Paramedic Act will remain in effect only until July 1, 1976.

This bill would extend the effectiveness of such act until December 31, 1977, and would delete obsolete provisions concerning a report previously rendered by the State Department of Health on emergency medical services in California.

This bill would provide that no appropriation is made for the reimbursement of any local agency for costs incurred by it pursuant to the bill for a specified reason.

This bill would take effect immediately as an urgency statute.

Ch. 149 (SB 904) Way. Regional water quality control plans: contents.

Existing law provides that regional water quality control plans become effective when approved by the State Water Resources Control Board and, when reported to the Legislature, become part of the California Water Plan. The board is required to consider beneficial uses, environmental characteristics and water quality, coordinating of water quality conditions, economic considerations and implementation objectives, timing and surveillance. The program of implementation shall include, but not be limited to, actions necessary to achieve the objectives, time schedules, and surveillance to determine compliance with objectives.

This bill would require, prior to implementation, that an estimate of the total cost and identification of the sources of financing of any agricultural water quality control program shall be indicated in any regional water quality control plan.

Ch. 150 (SB 929) Greene and Joint Committee on Legal Equality. Taxation. sex equality.

(1) Existing tax law specifies that for purposes of inheritance taxation, the funeral and last illness expenses of a decedent, including the funeral and last illness expenses of a deceased wife, whether or not she is survived by a husband financially able to pay those expenses, are deductible from the appraised value of property subject to the inheritance tax.

This bill would remove the specific reference to the funeral and last illness expenses of a deceased wife and provide that such expenses of any decedent are deductible from the appraised value of the property subject to the inheritance tax.

(2) Existing income tax law makes various references to "husband," "wife," and "divorce" for purposes of income tax provisions.

This bill would eliminate the references to "husband," "wife," and "divorce" in the statutes relating to income tax and substitute "spouse," "married person" and "decree of dissolution or of separate maintenance" in substitution for such terms.

(3) The bill makes other nonsubstantive technical changes.

Ch. 151 (SB 1335) Presley. Library district elections.

Existing law provides for the formation of library districts in the incorporated and unincorporated territory of this state which are administered by trustees elected for four year terms.

This bill would require library district elections to be held at the same time as school district elections in odd-numbered years instead of at the same time as the state general election in even-numbered years.

This bill would provide for implementing changes in the dates of election and in the dates of the commencement and termination of the terms of office of library district trustees to conform with school district election dates.

This bill would make various changes to provide that library district elections held for the election of trustees and the approval of district bonding proposals conform with general state law and provisions governing school district elections.

Ch. 152 (SB 1448) Behr. Insurance: medical malpractice insurance

(1) Existing law defines medical malpractice insurance as a type of liability insurance.

This bill would specifically place such insurance definition within the provision defining liability insurance.

(2) Existing law defines medical malpractice insurance, and licensees for purposes of the provisions relating to the Joint Underwriting Association, to include specified healing arts practitioners and institutions.

This bill would include community clinics, as defined, within the scope of such definitions

Existing law specifies the powers and duties of the Joint Underwriting Association.

This bill would specify that such powers and duties apply, as well, to community clinics.

(3) This bill would take effect immediately as an urgency statute.

Ch. 153 (SB 1451) Berryhill County fish and game propagation fund: expenditure thereof.

Under existing law, one-half of the fines or forfeitures collected for violation of the Fish and Game Code, or regulations adopted pursuant thereto, or any law protecting birds, mammals, fish, reptiles, or amphibia are paid to the county in which the violation was committed to be deposited in a county fish and game propagation fund to be expended for propagation and conservation of fish and game, or both, within the county.

The bill would, in addition, permit such amount paid to such propagation fund to be expended for such purposes outside of the county

Ch 154 (SB 1445) Berryhill. Vehicles: tow cars: license plates: equipment: additional taillamps and stoplamps.

(1) Existing state law generally requires 2 taillamps and stoplamps on all motor vehicles. Under existing law, taillamps and stoplamps on vehicles manufactured on or after January 1, 1969, are required to be mounted not lower than 15 inches and may not be higher than 72 inches.

This bill would permit the equipping of tow cars with 2 additional taillamps and 2 additional stoplamps which may be mounted not lower than 15 inches nor higher than the maximum allowable vehicle height and as far forward as the rearmost portion of the driver's seat in the rearmost position. The bill would require that the additional taillamps be lighted whenever the headlamps are lighted.

(2) Existing state law generally requires vehicles to be equipped with red rear reflectors. Under existing law, reflectors are required to be mounted not lower than 15 inches and may not be higher than 60 inches.

This bill would permit the equipping of tow cars with 2 additional reflectors which may be mounted not lower than 15 inches nor higher than the maximum allowable vehicle height and as far forward as the rearmost portion of the driver's seat in the rearmost position.

(3) Existing state law requires that the rear license plate of a vehicle be mounted not less than 12 inches nor more than 60 inches from the ground.

This bill would permit the rear license plate on a tow car to be mounted on the left-hand side of the mast assembly at the rear of the cab of the vehicle, not less than 12 inches nor more than 90 inches from the ground.

Ch. 155 (SB 1344) Nejedly. Fishing: sport fishing license exemption.

Under existing law, a sport fishing license is not required to take fish for any purpose other than profit by angling from a public pier in ocean waters of California. For purposes of this provision, the term "ocean waters" is not defined by statute.

The bill would provide that the term "ocean waters," for such purposes, includes, but is not limited to, specified areas of ocean water, including the San Francisco and San Pablo Bays.

Ch. 156 (AB 2697) Kapiloff Property taxation: administrative procedures

(1) Under existing law, the auditor, tax collector, or redemption officer of a county, upon order of the board of supervisors, may destroy tax rolls 7 years after the last item is recorded on them, provided a photographic record of the rolls is retained.

This bill would eliminate reference to the county auditor and redemption officer, and reduce the time period from 7 to 2 years.

(2) Under existing law, when property on the secured roll has escaped assessment or a correction of an assessor's error results in an increase in taxes, if the property has been conveyed or encumbered for value, the escape or increase may not become a lien on the property. If the assessee at the time of the escape or error, but prior to the conveyance or encumbrance owns other real property, the assessor or tax collector may record a lien against such property; otherwise, the taxes must be entered on the unsecured roll and collected like other taxes on the unsecured roll.

This bill would require that in all such cases, the taxes be entered on the unsecured roll and collected in the manner as other unsecured taxes.

(3) Under existing law, after 30 years from the time a tax becomes a lien, if the lien has not been otherwise removed, the lien is removed by law and conclusively presumed to be paid. Statutes imply that there is no lien or tax to be canceled after property is

deeded to the state.

This bill specifies that property which has been deeded to the state for nonpayment of taxes is not subject to those provisions.

(4) Existing law does not require that a release or discharge from a summary judgment lien on the unsecured roll be recorded in order to effect release of the lien.

This bill would require that the release or discharge be recorded in order to release the judgment lien.

(5) Under existing law, delinquent tax rolls more than 12 years old and the original secured roll, with minor exceptions, may be destroyed by the county officer in possession of the records.

This bill would allow the destruction of such records after 2 years upon approval of the board of supervisors and if a photographic record is retained

(6) Under existing law the time limit is 3 years for claiming or making certain refunds of property taxes.

This bill would extend those time limits to 4 years.

(7) Under existing law, in redeeming property which has been tax deeded to an irrigation district, the redemptioner must also pay to the county all taxes, interest, and penalties which would have been levied if the property had not been tax deeded.

This bill would provide that if such amounts due the county are not paid the county assessor shall assess the property as though it had escaped assessment

This bill would also provide that there shall be no appropriation made nor reimbursement made of any local agency for any costs incurred by it pursuant to this bill for a specified reason

Ch. 157 (AB 2285) Chel Aging

Under the current law there is an Office on Aging and a director of that office

This bill would change the name of the office to the Department of Aging and the Director of the Office on Aging to the director of such department

Under current law, state funds are authorized as the nonfederal share of local matching funds for nutrition programs under the McCarthy-Kennick Nutrition Program for the Elderly Act of 1972 which implements Title VII of the Older Americans Act of 1968, as amended. Such funds are appropriated annually in the Budget Act.

This bill would authorize the ~~Office on Aging~~ [Department of Aging] * to conduct other nutrition programs. The bill would also appropriate funds appropriated as the nonfederal share for such programs and also for other nutrition projects serving the needs of aged persons.

The bill would declare the urgency thereof, to take effect immediately.

Ch 158 (SB 1301) Garcia. Notaries public

Existing law requires that a notary public advertising in Spanish that he is a notario publico must post a specified notice in English and Spanish relating to a proscription against giving legal advice and the fees he may charge.

This bill would provide that a notary public who is not an attorney who advertises in a language other than English that he is a notary public must post a notice in English and in such other language which states that he is not an attorney and cannot give legal advice. The bill would prohibit ~~translating~~ [literal translation as defined, of] * the phrase "notary public" into ~~any other language~~ [Spanish] *.

Existing law requires that the print in such notice be of a specified size.

This bill would grant the Secretary of State the power to prescribe the manner in which such notice is to be printed and posted.

This bill is an urgency statute, to take effect immediately.

Ch 159 (AB 2653) Beverly. Attachment and execution exemptions.

Existing law provides an exemption from execution for one house trailer or mobile home in which the debtor, or the family of such debtor, actually resides, of a value not exceeding \$15,000 over and above all liens and encumbrances on such house trailer or mobile home, provided neither the debtor nor the debtor's spouse has an existing homestead.

This bill would permit the same exemption from execution for a houseboat, boat, or other waterborne vessel in which the debtor or the debtor's family actually resides.

This bill would also provide that the exemption would not be available if the "in-hue homestead exemption" for a dwelling house is taken.

Ch 160 (SB 174) Roberti Open space and recreation grants to local governments

The Budget Bill for the 1976-77 fiscal year proposes to appropriate \$25,000,000 to the Department of Parks and Recreation for local grants for urban open-space and recreation programs, to be allocated to cities, counties, recreation and park districts, and regional park districts in accordance with criteria to be established pursuant to legislation enacted in 1976

Existing law does not provide for a special program for grants to cities, counties, or districts in urbanized areas for the acquisition or development of recreational areas and open spaces

This bill would establish the Roberti-Z'berg Urban Open-Space and Recreation Program to be administered by the Department of Parks and Recreation and to be funded by moneys appropriated by the Budget Act of 1976 and by subsequent budget acts to the department for grants for urban open-space and recreation programs. The bill would authorize grants to be made in accordance with procedures and criteria established by the Director of Parks and Recreation and approved by the Legislature, to applicant cities, counties, recreation and park districts, regional park districts, and certain public utility districts in urbanized, heavily urbanized, and nonurbanized areas, as defined, for the acquisition or development of recreational lands and facilities for recreational and open-space purposes on the basis of population and need, as specified

The bill would require such grants to be made on the basis of 75% state money and 25% local matching money, and would prescribe various conditions for receipt of the grants. The department would be required to conduct a statewide needs analysis, including a full review of the grant program, and report its preliminary findings and recommendations to the Legislature not later than December 31, 1976, and make its final report not later than December 31, 1976. The bill would require the department on or before January 1, 1978, and January 1 of each year thereafter, to submit a report to the Legislature on all grants

The bill would take effect immediately as an urgency statute

Ch 161 (SB 413) Deukmejian Senior citizens tax assistance

Under the existing Senior Citizens Property Tax Assistance Law, qualified persons 62 years of age or older may make claims for payments of state funds. The amount of such claims is based on household incomes and property taxes paid on their homesteads, with payments ranging from 96% of the property taxes paid on the first \$7,500 of the assessed value of a homestead to those with household incomes of not more than \$1,400 to 4% of the tax paid on such assessed value to those with household incomes of not more than \$10,000

This bill would revise the schedule by which amounts of property tax assistance shall be paid for the 1976-77 fiscal year and fiscal years thereafter

Ch 162 (SB 1208) Richardson. County general relief

Under current law a parent is liable under the county general relief program to the county for medical and financial aid provided to an indigent adult child and an adult child is also liable for his parents' aid

This bill limits such liability to parents of minor children and eliminates the liability of an adult child to his parent

This bill would provide that no appropriation is made to reimburse counties for specified costs

Ch 163 (AB 2655) Carpenter Community college health fees

Existing law authorizes the governing board of a community college district to require pupils in attendance in grades 13 and 14 to pay a health services fee of up to \$10 for the regular school year. If such a fee is collected from such students, it is required to prorate the amount of the fee, if any, that a part-time student, including a summer school student or evening student, is required to pay

This bill would authorize the governing board of a community college district to collect such a fee from community college students in general, rather than pupils in attendance in grades 13 and 14

This bill would authorize the governing board to require summer session students to pay a fee for such purposes which is in addition to the \$10 yearly maximum amount, but

which does not exceed the amount charged per semester or quarter during the regular school year. The bill would direct the governing board to decide, rather than prorate, the amount of such fee that a part-time student is required to pay

The bill would go into immediate effect as an urgency statute

Ch. 164 (AB 2627) Chappie. Property taxation. refunds.

Under existing law, taxes on property collected on behalf of a special district, which property should have been detached from the special district upon annexation to a city, may be refunded to the taxpayer provided certain procedures are complied with

This bill would extend such provisions to apply to property taxes collected on behalf of any local agency which upon annexation of the property to another local agency should have been detached from the first agency

The bill also provides that there are no state-mandated local costs requiring an appropriation or reimbursement of any local agency for any costs incurred pursuant to this act.

The bill would take effect immediately as an urgency statute.

Ch. 165 (AB 2779) Badharn. Recreation and park districts street sweeping

Existing provisions of law permit the board of any recreation and park district located in any area where such services are not provided by any other public agency to provide garbage collection and disposal services and street lighting within the district

This bill would permit the board of a district which is located in any area where street and highway sweeping is not provided by any other public agency, in addition, to provide such service, itself, or under contract, within the district

Ch. 166 (AB 2781) Ralph. Vehicles: changes in axle weight limits.

Chapter 651 of the Statutes of 1975, among other things: (1) repealed provisions of law which, (a) with respect to a vehicle or combination of vehicles for which the distance between the first and last axles of two or more consecutive axles is 18 feet or less, had specified the total gross weight with load that may be imposed upon the highway by any group of such two or more consecutive axles, and provided for the deriving of such total gross weight from a table specifying the allowed load in pounds on a group of axles for each of various specified distances between the first and last axles of a group of two or more consecutive axles, and (b) with respect to a vehicle or combination of vehicles for which the distance between the first and last axles is more than 18 feet, had specified the total gross weight with load that may be imposed upon the highway by any such vehicle or combination of vehicles, and provided for the deriving of such total gross weight from a table specifying the allowed load in pounds for each of various specified distances between the first and last axles of such vehicle or combination of vehicles, and (2) instead, specified the total gross weight that may be imposed on the highway by any group of two or more consecutive axles, with such total gross weight being derived from a table specifying the maximum load in pounds that may be carried on any group of two or more consecutive axles depending on the total number of axles of a vehicle or combination of vehicles and the distance between the extremes of any group of two or more consecutive axles.

This bill would reinstate, until December 31, 1980, such provisions repealed by Chapter 651 of the Statutes of 1975, for combinations of vehicles which contain a trailer or semitrailer first registered in this state prior to April 1, 1976. Such trailer or semitrailer would be required to display in a particular place and manner the term "REG" followed by the month and year in which the vehicle was first registered in California. The bill would make it unlawful to display a date which is not the date the vehicle was first registered in this state. In addition, the bill would impose with respect to such vehicles weight limits of 18,000 pounds for a single axle and 9,500 pounds for the wheels supporting one end of an axle, which limits had been applicable prior to the effective date of Chapter 651 of the Statutes of 1975. The bill would, moreover, include a weight limit of 12,500 pounds applicable to the front steering axle of such a motor vehicle, which weight limit first became applicable on January 1, 1976. However, the bill would also include a declaration to the effect that the provisions of the bill are not intended to increase or allow statutory weights greater than those which existed prior to January 1, 1976. Further, with respect to the imposition of such weight limits, the bill would include exemp-

tions therefrom made by Chapter 651 of the Statutes of 1975 and Chapter 48 of the Statutes of 1976 (AB 2711). Finally, the bill would provide that all gross weight limits shall include all enforcement tolerances.

Under existing law, 2 consecutive sets of tandem axles, in addition to carrying the prescribed weights, may also carry a gross load of 34,000 pounds each, if the overall distance between the first and last axles of such sets is 36 feet or more.

This bill would specify that such sets of tandem axles may carry a gross weight of 34,000 pounds each and would specify that the gross weight of each set of tandem axles shall not exceed 34,000 pounds, and the sets of tandem axles shall not exceed 68,000 pounds.

This bill would provide that there shall be no reimbursement nor any appropriation made for any costs incurred by local governmental entities pursuant to the bill for a specified reason.

The bill would take effect immediately as an urgency statute.

Ch. 167 (SB 604) Stiern. County Employees Retirement Law of 1937: benefits.

Existing County Employees Retirement Law of 1937 authorizes boards of supervisors of individual counties to permit county boards of retirement to give effect to revocable written authorizations by members or beneficiaries to forward the member's or beneficiary's retirement allowance or benefit to a specified bank, savings and loan association or credit union upon filing with the treasurer and the financial institution of a power of attorney.

This bill would make various nonsubstantive clarifying changes in such provisions, and would also eliminate individual county discretion as to whether such provisions should be adopted by the county.

The bill would also delete the requirement that a power of attorney be filed by the member or beneficiary.

The bill specifies that there are no state-mandated local costs within the meaning of Section 2231 of the Revenue and Taxation Code imposed on local agencies by the bill.

Ch. 168 (SB 218) Alquist. Personal income tax deduction: solar energy device

Existing state personal income tax law and bank and corporation tax law authorize a taxpayer to deduct from gross income a reasonable allowance for the depreciation of any solar energy device which is placed in service by such taxpayer, if such device is used in a trade or business or in the production of income.

This bill would authorize every taxpayer to elect to deduct from such taxes a credit of an amount equal to the lesser of 10% of the cost, or \$1,000, of the acquisition cost of such device on premises owned and controlled by the taxpayer, payment for which is made by the taxpayer during the taxable year or the income year, in lieu of any other deduction to which such taxpayer may be entitled, and would repeal such authorization on a specified date.

This bill would take effect immediately as a tax levy, but its operative effect would depend upon the time at which it becomes effective.

Ch. 169 (SB 1560) Rodda. Arts Council: location.

The existing law requires the Arts Council to hold meetings in various places throughout the state but does not specify the permanent location of the Arts Council.

This bill would specify that the executive or principal office of the Arts Council shall be located in Sacramento County.

In addition, this bill would expressly authorize the council to establish one or more secondary offices within the state if the council determines that such office or offices are needed to properly carry out the functions of the council.

This bill would take effect immediately as an urgency statute.

Ch. 170 (SB 1618) Collier. Timber harvesting: time for completion.

Existing provisions of law require timber operations conducted pursuant to a timber harvesting plan or amended plan which becomes effective during the present effective period of the law from June 30, 1975, to June 1, 1976, to be completed prior to June 1, 1976.

This bill would extend the effective period of such law to January 1, 1977, and require timber operations conducted pursuant to such a plan during such extended period to be completed prior to January 1, 1977.

This bill would take effect immediately as an urgency statute.

Ch. 171 (AB 859) McVitie Insurance: uninsured motorist coverage

Existing law requires agreements between insurers and insureds under automobile bodily injury liability insurance policies by which an insured deletes the uninsured motorists coverage under such a policy to be set forth in specified form.

This bill would revise the form.

Existing law provides that such deletion of uninsured motorist coverage may be (1) complete, or (2) only for persons specified by the insured

The bill would also make various nonsubstantive changes and delete an obsolete provision.

Ch 172 (AB 2703) Montoya Transportation transit needs study: East Los Angeles area.

Under existing law, the Southern California Association of Governments is required to contract for a transit needs study in the unincorporated East Los Angeles area and to submit, not later than July 1, 1976, copies of the study to the Legislature and the State Transportation Board

This bill would postpone to January 1, 1977, the date by which the association would be required to submit copies of the study to the Legislature and to the board

The bill would take effect immediately as an urgency statute.

Ch. 173 (AB 2798) Briggs. Local health officers fees.

Under existing law, any city, county, or city and county may, by ordinance, authorize the payment of fees to the local health officer for enforcement activities when fees prescribed by the state do not meet the expenses of the health officer

This bill would authorize a city, county, or city and county to provide for payment of such fees by resolution as well as by ordinance.

Ch 174 (AB 3087) Fazio State park system Woodland Opera House

Past budget acts have contained appropriations from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 for capital outlay The Budget Bill for the 1976-77 fiscal year, as introduced, also contains such appropriations

This bill would amend and supplement the Budget Act of 1976 by adding a section thereto to appropriate \$280,000 to the Department of Parks and Recreation, payable from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974, for the acquisition, restoration, and reconstruction of the Woodland Opera House for the state park system. The bill would provide that none of the funds appropriated shall be available for expenditure unless and until such project has been recommended by the State Park and Recreation Commission and reviewed by the Secretary of the Resources Agency, until federal matching funds are allocated to the project, until the City of Woodland certifies that it has available labor, materials, and funds equal to \$70,000 which the city will expend on the project, and until the city agrees to maintain the opera house for the state Further, the project would be subject to the conditions that title to the Woodland Opera House and adjacent land is donated to the state and that inclusion of such lands in the state park system is approved by the commission

This bill would take effect immediately as an urgency statute, with the appropriation provisions becoming operative on July 1, 1976

Ch. 175 (AB 3179) Lewis Union high school library districts

Under existing law, library trustees of a union high school library district are the governing board members of the union high school district While such governing board members take office on April 1st in odd-numbered years, the annual organizational meeting as library trustees to select a president and secretary of the library district is required to be held after July 1st, even though the governing board of such a school district, acting as such, is required to hold its school board organizational meeting on a day within a 15-day period following the election of governing board members in odd-numbered years and on a day within such same 15-day period on the calendar in even-numbered years

This bill would provide that organizational meetings of union high school library districts be held on a day in the same 15-day periods in odd- and even-numbered years as is the case with the school board organizational meeting

Ch 176 (AB 1258) Warren. Taxation: timber and timberland

Under existing law timber, except immature trees and trees of natural growth on land from which the merchantable original growth timber to the extent of 70 percent of all trees over 16 inches in diameter has been removed, is subject to property taxation. Additionally, the land on which such timber is growing, with some exceptions, is assessed and taxed according to its fair market value.

This bill would change the existing system of taxing both timber and the land on which timber is growing. Beginning with the 1977-78 fiscal year, privately owned land and land acquired for state forest purposes which is primarily devoted to and used for growing and harvesting timber would be zoned for a minimum 10-year period as timberland preserve and would be valued for property taxation, in general, on the basis of its use for growing and harvesting timber only.

In addition, beginning with the 1977-78 fiscal year timber would be fully exempt from annual ad valorem property taxation. Instead, beginning on April 1, 1977, a yield tax would be imposed on timber harvested from privately or publicly owned land based on the volume of timber harvested, the immediate harvest value of the timber, as determined by the State Board of Equalization, and the yield tax rate of 6%. An additional yield tax at the rate of 0.5 percent would be imposed on timber harvested from April 1, 1977, to December 31, 1982, and thereafter at a rate established by the State Board of Equalization according to a formula to produce a balance in the Timber Tax Reserve Fund of \$5,000,000, plus any deficient payments owed to local governments.

The bill would create the Timber Tax Reserve Fund and Timber Tax Fund and would allocate revenues from the yield taxes to such funds according to a prescribed formula. Moneys in such funds would be appropriated for allocation to local agencies pursuant to a schedule based on the property tax revenues received by such agencies from timber and timberland prior to the exemption of timber and classification of timberland by this enactment and for the 1975-76 and 1976-77 fiscal years, to the State General Fund, for reimbursement of the administrative costs of the State Board of Equalization. In addition, the bill would appropriate \$529,814 from the General Fund to the State Board of Equalization and \$13,500 to the State Forester.

Additionally, existing law permits counties and cities under prescribed conditions to contract with landowners to restrict the use of their land to agricultural uses, including timber production, and compatible uses. The law establishes grounds and procedures for a landowner to petition the city or county for the cancellation of such a contract and provides for a penalty upon such cancellation.

This bill would prohibit a city or county from entering into any new such contract or renewing an existing contract on or after February 28, 1977, with respect to land classified as timberland preserve. The bill would also require the city or county upon petition of an owner of land classified as timberland preserve and recorded as such to cancel a contract without any penalty fee.

Existing law also limits the amount of debt which may be incurred by some local taxing agencies and school districts based on a percentage of the assessed value of the agency.

This bill would make provision for the consideration of revenues received from the yield tax by the agency in computing such debt limits. A similar adjustment would be made with respect to certain state assistance programs.

Under existing law, assessed value of property is a factor in computing various forms of state aid to school districts.

This bill would prescribe a formula for converting timber yield tax receipts to an equivalent assessed valuation of taxable property within a school district and would utilize such equivalent assessed valuation in computing state apportionments in the form of district aid, areawide aid, and apportionments for the attendance of adults, and for the transportation of pupils. This bill would also make provision for the consideration of revenues received from the timber yield tax in determining the revenue limit of a school district.

This bill would provide that notwithstanding Section 2229 or 2231, Revenue and Taxation Code no appropriation or reimbursement be made by the state for cost incurred by local agencies or property tax revenues lost by reason of the exemption or classification of property by this act, for specified reasons.

This bill would also make related changes for the administration and operation of the yield tax and the valuation of timberland.

The bill would take effect immediately as an urgency statute.

Ch. 177 (AB 1843) Cullen Hospital buildings, seismic safety requirements

Under existing law, seismic structural safety requirements are prescribed for hospital buildings. The term "hospital building" is defined, for such purposes, as including (with certain exceptions) all licensed health facilities, which include general acute care hospitals, acute psychiatric hospitals, skilled nursing facilities, intermediate care facilities, and special hospitals.

This bill would redefine the term "hospital building," for the purposes of such seismic structural safety provisions, to include only licensed health facilities and to exclude single-story, wood frame buildings used, or designed to be used, for skilled nursing facilities or intermediate care facilities, and any single-story, wood frame building in which only skilled nursing or intermediate care services are provided if such building is not physically attached to a building housing other patients of the health facility receiving higher levels of care. However, a structural engineer would be required to submit a declaration to the State Department of Health that the design and construction of new buildings so excluded comply with prescribed requirements.

The bill would take effect immediately as an urgency statute.

Ch. 178 (AB 2554) Chimbole. Irrigation districts, directors.

Existing law requires an irrigation district to contain divisions unless otherwise provided by the formation petition and the directors shall be, among other qualifications, residents of the divisions which they represent.

This bill would permit a district which has no divisions and three directors to increase the number of directors to five without dividing the district into divisions.

Ch. 179 (AB 2846) McAlister. Savings and loan associations.

(1) Existing law provides that a savings and loan association shall not make any one loan in an amount exceeding twenty thousand dollars if the loan exceeds 1% of the book value of the association's assets unless consent is obtained from the Savings and Loan Commissioner.

This bill would raise the maximum permissible amount of loans, absent the commissioner's consent, from \$20,000 to \$75,000.

(2) Existing law authorizes a savings and loan association to refinance certain secured loans only with an amortized loan meeting specified requirements.

This bill would also allow such loans to be modified rather than refinanced to meet such specified conditions.

Ch. 180 (AB 2898) Lancaster. Real estate.

Under existing law, the Real Estate Commissioner is required to have been actively engaged in business as a real estate broker in California for five years. This bill would instead require the Real Estate Commissioner to have been actively engaged in business as a real estate broker in California for five years, or he may possess related experience associated with real estate activity in California for five years within the last 10 years.

This bill would take effect immediately as an urgency statute.

Ch. 181 (AB 3032) Lanterman. Teacher qualifications

Existing law permits the Commission for Teacher Preparation and Licensing to issue specified special education specialist credentials to an applicant who has a designated valid regular California teaching credential and who received specified specialized advanced training, which was commenced on or after the 1964-65 school year, or who acquired such specified training and experience in the specialization in the public schools, commencing on or after September 1, 1970. Application for such credentials must be made by September 15, 1977.

This bill would authorize the issuance of such credential to applicants who acquired the required experience in the public schools or in a private school or institution of equivalent status.

It also would take effect immediately as an urgency statute.

Ch. 182 (AB 3105) Fenton. State Board of Control: claims.

Existing law requires the State Board of Control to take necessary steps to ensure that approved claims for which there exists no legally available appropriation are submitted for legislative approval on a quarterly basis during each calendar year.

This bill would require such claims to be submitted at least twice during each calendar year, instead of on a quarterly basis.

Ch 183 (AB 3122) Ingalls. Elections. municipal officers

Existing law relative to obtaining and filing nomination papers for municipal office at the office of the city clerk does not specify that this be done during regular business hours.

This bill would amend the pertinent sections to so specify.

Ch. 184 (AB 3211) Badham Irrigation district officers.

Existing law permits appointment to the offices of assessor, collector, or treasurer of an irrigation district by the board of directors of the district, rather than by election. Existing law provides that the term of such appointments shall coincide with the elective term or terms

This bill would provide that such appointed officers would serve at the pleasure of the board without restriction of the term or terms of the appointment.

Ch. 185 (AB 3292) Gualco Elections: Democratic State Central Committee.

Existing law requires appointments of members to the Democratic State Central Committee to be made by 5 o'clock of the afternoon of the Tuesday immediately preceding the first meeting of the committee.

This bill would change the deadline for such appointments to 5 o'clock p.m. of the 16th day immediately preceding the first meeting of the committee.

Ch. 186 (SB 14) Rodda. California Exposition and State Fair: purchase of contracts.

Under existing statutes, there is no specific authorization for the Department of Parks and Recreation to purchase outstanding contracts of the California Exposition and State Fair.

This bill would specifically authorize the department to purchase certain of such outstanding contracts, subject to the review and the approval of the Department of General Services and the Department of Finance.

The bill would also appropriate \$2,655,000, of which \$2,640,000 is allocated to the Department of Parks and Recreation for such purchase and \$15,000 is allocated to the Department of General Services for appraising such outstanding contracts.

The bill would take effect immediately as an urgency statute.

Ch 187 (SB 1614) Deukmejian. Surety deposits

Under existing law, where a bonding requirement for a licensee under the Business and Professions Code provisions contains an alternative requirement of a cash deposit with banks or savings and loan associations, a cash deposit in a credit union is not a permissible alternative to such bonding requirement.

This bill would permit a certificate of funds or share account deposit in certain credit unions as an alternative to such bonding requirement.

Ch. 188 (SB 1450) Berryhill. State Employees' Medical and Hospital Care Act. state contributions.

The State Employees' Medical and Hospital Care Act provides basic and related major medical plans for state officers and employees and requires the state to contribute \$22 for employees enrolled for self alone, \$37 for employees enrolled for self and one family member and \$47 for employees enrolled for self and two or more family members. The state's contributions are statutorily appropriated monthly from the General Fund and other funds in the State Treasury.

This bill would increase those amounts to \$29 for employees enrolled for self alone, \$49 for employees enrolled for self and one family member, and \$60 for employees enrolled for self and two or more family members on March 1, 1976. This bill would appropriate \$7,772,000 for allocation in augmentation of various state agency support items contained in the Budget Act of 1975. This bill would take effect immediately as

an urgency statute and become operative March 31, 1976

Ch. 189 (AB 2754) Maddy Equipment for polling places

(1) Existing law contains two requirements with respect to the materials to be furnished by the county clerk to the election officers. The first, which is operative presently, requires the furnishing of the original books of affidavits of registration, the other, which becomes operative on July 1, 1976, whereupon the first is repealed, does not. Also, under the latter requirement, the roster of a precinct may be in the form of an index to the affidavits of registration for that precinct, which must provide, among other things, for a space to the left of each name.

This bill would repeal the present requirement, and revise the latter requirement to allow the furnishing of the original books of affidavits and any other materials necessary to verify signatures. It would also delete the requirement that a precinct roster in the form of an index to the affidavit of registration, contain a space to the left of each name.

(2) Existing law requires all officers who are required by law to designate polling places to furnish such polling places with certain specified items including a sufficient number of places, booths, or compartments, at or in which voters may conveniently mark their ballots, so that they may be screened from the observation of others, and a sufficient number of pencils for write-in purposes.

This bill would additionally require such persons to have each polling place, compartment, or booth so adjusted as to conceal from observation the voter's marking of the ballot, and would require writing instruments rather than pencils to be furnished.

This bill would make related changes in means of marking ballots and require the use of writing instruments rather than pencils for write-in candidates.

The bill declares that neither appropriation is made nor obligation created for reimbursement of any local agency for any costs incurred by it pursuant to this act.

This bill would take effect immediately as an urgency statute.

Ch. 190 (AB 2951) Murphy. Property taxation: maximum rates: City of Marina

(1) Under existing law, changes in the boundaries of a local agency are not effective for property tax or assessment purposes for an ensuing fiscal year unless a statement and map or plat indicating such changes are filed with the appropriate county assessor and the State Board of Equalization on or before the preceding January 1.

This bill would provide that the dissolution of Marina Fire Protection District is effective for assessment and taxation purposes for the 1976-77 fiscal year if the required documents are filed on or before July 1, 1976, instead of the January 1, 1976, deadline.

(2) Existing law establishes maximum property tax rates for local agencies, including cities.

This bill would provide that notwithstanding those provisions of law, the maximum property tax rate for the City of Marina for the 1976-77 fiscal year is \$1.55 per \$100 of assessed value and may be adjusted thereafter as otherwise provided by law.

(3) In addition, existing law provides for the homeowners' property tax exemption in the amount of \$1,750 of the assessed value of qualified dwellings, and state funds are continuously appropriated to compensate local governmental entities for property tax revenues lost by reason of such exemption.

One of the effects of an authorization for Marina City to levy a property tax rate in 1976-77 would be to alter the existing appropriation to compensate local governmental entities for property tax losses caused by the homeowners' property tax exemption.

(4) This bill would make legislative findings and declarations regarding taxation by the City of Marina.

(5) This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to this act for a specified reason.

[This bill would take effect immediately as an urgency statute.] *

Ch. 191 (SB 1480) Way. Fire protection: automatic sprinklers and detectors

(1) Current law generally requires the installation of automatic sprinkler systems in buildings housing patients or guests in a hospital; children's home, nursery, or institution, home or institution for the care of aged or senile persons, sanitarium or institution for the care of aged or senile persons or insane or mentally retarded persons, or nursing or

convalescent home which provides care or housing to more than 6 patients or guests on a 24-hour-per-day basis. In certain cases the law permits the installation of fire alarm systems in lieu of automatic sprinkler systems.

Under present law, such requirements become operative June 30, 1976, with respect to any of the above facilities which were under construction or operating on March 4, 1972

This bill would extend the June 30, 1976, deadline to December 31, 1976, for facilities which have commenced installation of the required automatic sprinkler system or fire alarm system prior to June 30, 1976. The bill would specify that installation is deemed commenced when the facility has entered a prescribed contract for the installation, obtained all necessary permits and other governmental approvals, and the contractor has done onsite work under the contract

(2) In 1974, \$2,200,000 was transferred from the unexpended balance of specified funds appropriated for mental health services by the Budget Act of 1973 to the State Department of Health for expenditure, without regard to fiscal years, for loans to private nonprofit children's institutions, under provisions of law which required the State Department of Health to establish and administer a program which makes 5% loans available to private nonprofit children's institutions for the installation of approved automatic sprinkler systems or detectors that respond to invisible products of combustion other than heat

In 1975, eligibility for such 5% loans for the installation of such approved automatic sprinkler systems or detectors was extended to private nonprofit homes for the aging which are residential facilities for adults under the California Community Care Facilities Act, and loans for such private nonprofit homes for the aging, were authorized to be made from the described funds that were transferred to the State Department of Health in 1974

This bill would transfer \$1,500,000 from the unencumbered balance of the appropriation made by Item 280 of the 1975 Budget Act to the State Department of Health, for expenditure, without regard to fiscal years, for making such loans.

The bill would take effect immediately as an urgency statute

(3) This bill would incorporate additional changes in Section 13113 of the Health and Safety Code made by SB 1342, which would be operative only if SB 1342 is chaptered before this bill

Ch. 192 (SB 1803) Mills Historical buildings: access by the handicapped.

Existing law prescribes requirements for making public buildings and facilities accessible to and usable by the physically handicapped. Existing law also provides for regular building regulations and for alternative building regulations for the rehabilitation, preservation, restoration or relocation of qualified historical buildings and permits the building department of a city or county to apply regular building regulations or the alternative building regulations, or any combination thereof, in permitting repairs, alterations, and additions to historical buildings or structures

This bill would require that the application of the provisions prescribing requirements for making public buildings and facilities accessible to and usable by the physically handicapped be governed by the provisions relating to the building regulations for the rehabilitation, preservation, restoration, or relocation of qualified historical buildings.

This bill would take effect immediately as an urgency statute

Ch 193 (SB 1530) Rains Elections

Existing law requires a special election to be held to fill a vacancy in the office of Representative in Congress or in either house of the Legislature, except that when such a vacancy occurs 160 days or less before the end of the term of office the election shall be held at the Governor's discretion.

This bill would provide instead that the special election may be avoided at the Governor's discretion if a vacancy occurs in a congressional office after the close of the nomination period in the final year of the term of office. It would also prohibit the conduct of a special election to fill a vacancy in a legislative office if such a vacancy occurs after the close of the nomination period in the final year of the term of office

The bill would take effect immediately as an urgency statute

Ch. 194 (AB 2820) Goggin. Nuclear thermal electric sites

Existing law creates the State Energy Resources Conservation and Development Commission and prescribes the duties and functions thereof relative to forecasting and assessment of energy demands and supplies, certification of powerplant sites, research and development, and energy insulation

This bill would prohibit any nuclear fission thermal powerplant requiring the reprocessing of fuel rods, including such plants exempted from certification by the commission, from being permitted land use in the state or, where applicable, from being certified by the commission until the commission finds that the United States through its authorized agency has identified and approved, and there exists a technology for the construction and operation of, nuclear fuel rod reprocessing plants and until 100 legislative days have passed since such findings of the commission have been filed with the Legislature and neither house of the Legislature has adopted a resolution disaffirming such findings. In the event of passage of such resolution, the bill would delineate a procedure for reexamination of the findings by the commission, resubmission to the Legislature, and certification of nuclear powerplants if the Legislature does not act by statute to declare such findings null and void and take appropriate action within 100 legislative days of resubmission.

It would also require the commission to find on a case-by-case basis that facilities with adequate capacity to reprocess nuclear fuel rods from a certified nuclear facility or to store such fuel if such storage is approved by an authorized agency of the United States are in actual operation or will be in operation at the time such nuclear facility requires such reprocessing or storage, as designated.

The bill would require the commission to continue to receive and process notices of intention and applications for certification, but would prohibit the commission from issuing a decision granting a certificate until the requirements of the provisions of this bill are met.

It would specify that for purposes of the provisions of this bill the vested right to construct a nuclear thermal powerplant shall exist if, prior to the date on which the bill is chaptered, an electric utility has performed substantial construction on such powerplant and has incurred substantial expense for construction and for necessary materials for such powerplant and would include specific designated thermal powerplants and sites within such provision.

The bill would also specify it would not become operative if Proposition 15 of the June 1976 election is adopted by the people.

Ch. 195 (AB 2821) Goggin. Nuclear thermal electric sites.

Existing law creates the State Energy Resources Conservation and Development Commission and prescribes the duties and functions thereof relative to forecasting and assessment of energy demands and supplies, certification of powerplant sites, research and development, and energy insulation.

This bill would prohibit the approval of any nuclear fission thermal powerplant, including those exempted from certification from the commission, from being permitted land use in this state, or, where applicable, from being certified by the commission until the commission has undertaken and completed a study of the necessity for, and effectiveness and economic feasibility of, undergrounding and berm containment of nuclear reactors and has determined, after public hearings, whether to require by rules and regulations that nuclear reactors be either undergrounded or berm contained. The bill would require the commission to complete such study and submit it to the Legislature, with conclusions and recommendations, within 1 year from the effective date of the bill. The bill would prohibit the commission, whether or not it determines that such requirements are necessary, effective, or economically feasible, from approving any such site for 1 year thereafter, so as to provide the Legislature with the necessary time to evaluate the study for possible statutory implementation. It would require the commission to receive and process notices of intention and applications for certification, but would prohibit the commission from issuing a decision granting a certificate until the requirements of this bill have been met. It would specify that for purposes of the provisions of the bill the vested right to construct a nuclear thermal powerplant shall exist if, prior to the date on which the bill is chaptered, an electric utility has performed substantial construction on such powerplant and has incurred substantial expense for

construction and for necessary materials for such powerplant, and would include specific designated thermal powerplants and sites within such provisions. The bill also provides the requirements do not apply to any nuclear fission thermal powerplant site and related facility for which a notice of intent has been filed with, and accepted by, the commission within three years of the effective date of the bill.

The bill would also specify it would not become operative if Proposition 15 of the June 1976 election is adopted by the people.

Ch. 196 (AB 2822) Nestande. Nuclear thermal electric sites.

Existing law, with prescribed exceptions, confers on the State Energy Resources Conservation and Development Commission the authority to certify thermal powerplants, electrical transmission lines, and their sites.

This bill would prohibit any nuclear fission thermal powerplant, including those exempted from certification, from being permitted land use in the state or, where applicable, from being certified by the commission until the commission finds that there has been developed and the United States through its authorized agency has approved and there exists a demonstrated technology or means for the disposal of high-level nuclear waste and 100 legislative days have passed since such findings of the commission have been filed with the Legislature and neither house of the Legislature has adopted a resolution disapproving such findings. In the event of passage of such resolution, the bill would delineate a procedure for reexamination of its findings by the commission, resubmission to the Legislature, and certification of nuclear powerplants if the Legislature does not act by statute to declare such findings null and void and take appropriate action within 100 legislative days of resubmission.

The bill would require the commission to continue to receive and process notices of intention and applications for certification, but would prohibit the commission from issuing a decision granting a certificate until the requirements of this bill have been met. "Technology or means for the disposal of high-level nuclear waste" would be defined by the bill.

It would specify that for purposes of the provisions of the bill the vested right to construct a nuclear thermal powerplant shall exist if, prior to the date on which the bill is chaptered, an electric utility has performed substantial construction on such powerplant and has incurred substantial expense for construction and for necessary materials for such powerplant and would include specific designated thermal powerplants and sites within such provision.

The bill would also specify that it would not become operative if Proposition 15 of the June 1976 election is adopted by the people.

Ch. 197 (AB 2859) Thurman. Courts: Stanislaus County court reporters.

(1) Existing law provides that official reporters of the Modesto Municipal Court shall receive a monthly salary of \$630.

This bill would increase the monthly salary to a specified range on the basic salary schedule of the salary and position allocation resolution of Stanislaus County adopted by the board of supervisors on December 9, 1975.

(2) Existing law also requires the Judicial Council to provide by rule for the maintenance of specified records regarding the work product and fees of official court reporters in various counties, and to audit and inspect such records, and submit an annual report to the board of supervisors of the affected county and also to the Legislature summarizing the information contained in the records.

This bill would require the Judicial Council to also provide for the maintenance of such records for Stanislaus County, and to also audit and inspect such records and submit an annual report of the records to the Board of Supervisors of Stanislaus County and the Legislature.

(3) The bill makes certain findings declaring that the subject of the bill requires legislative action affecting Stanislaus County.

(4) The bill would provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desired authority to act pursuant to the act.

(5) The bill would take effect immediately as an urgency statute.

Ch. 198 (AB 3212) Badham Orange County Water District

Existing law creates a special district known as the Orange County Water District. The district is not generally authorized to issue negotiable promissory notes, although a local agency may issue revenue bond anticipation notes under the Revenue Bond Law of 1941.

This bill would authorize the district, by a four-fifths vote of the board of directors of the district, to issue negotiable promissory notes to acquire funds for any district purpose, and would specify the maximum permissible interest rate and term of such notes and the maximum aggregate amount which may be outstanding at any one time.

The bill would take effect immediately as an urgency statute.

Ch. 199 (AB 3213) Badham Metropolitan water district revenue bond anticipation notes.

Under existing law, a metropolitan water district is authorized to issue revenue bonds upon such terms and conditions as the board deems necessary, the outstanding aggregate amount of which may not exceed 100% of the equity of the district at the end of the prior fiscal year. The use of the provisions of the Revenue Bond Law of 1941 is expressly allowed to the board of directors. Existing law authorizes revenue bond anticipation notes with a maturity period not to exceed 2 years in the provisions of the Revenue Bond Law of 1941, and permits only 1 renewal of such notes and limits the total amount of the notes to the amount of the authorized but unsold bonds authorized by the provisions of the Revenue Bond Law of 1941.

This bill would permit a metropolitan water district to issue revenue bond anticipation notes with a maturity period, as issued or refunded, not to exceed 5 years in an amount not to exceed the amount of authorized but not yet sold and delivered revenue bonds.

The powers conferred by the bill would be in addition and supplemental to, not be in substitution for, and would not affect the powers conferred by the Revenue Bond Law of 1941 or any other law.

Ch. 200 (AB 2998) Vasconcellos. CSUC auxiliary organizations.

Existing law provides for the establishment and operation of auxiliary organizations, as defined, of the California State University and Colleges.

This bill would provide that each governing board of an auxiliary organization shall conduct its business in accordance with the provisions requiring the meetings of most state agencies to be public with certain limited exceptions.

Ch. 201 (AB 3053) Chimbole. Property taxation technical errors: validation

Annually in the past, the Legislature has enacted legislation validating various technical or procedural errors or omissions in the functions of taxing agencies and revenue districts.

This bill would validate such actions occurring after the effective date of such legislation enacted at the 1975-76 Regular Session.

This bill would take effect immediately as an urgency statute.

Ch. 202 (AB 3218) Craven. Counties revolving funds for county officers

Existing law permits the board of supervisors to establish a revolving fund, not to exceed \$25,000, for the use of any officer of the county by adopting an appropriate resolution and provides that the board may increase, reduce, or discontinue such fund.

This bill would allow the board of supervisors to authorize the county auditor, subject to the same limitations imposed on the board, to establish, increase, reduce, or discontinue any revolving fund and would require the county auditor to render a written report containing specified information to the board at the end of each fiscal year.

Ch. 203 (AB 3230) Vicencia County bridges: bidding results.

Under existing law, the results of opening bids for county bridgework are required to be reported to the board of supervisors at its next regular meeting.

This bill would require that the results be reported to the board at a subsequent regular board meeting.

Ch. 204 (AB 3504) Chimbole Subdivision Map Act

Existing law defines a subdivision as the division of any improved or unimproved land, shown on the latest equalized county assessment roll as a unit or as contiguous units, for the purpose of sale, lease or financing, whether immediate or future.

This bill would exclude agricultural leases as described from the above definition.

Ch 205 (AB 4514) Berman Democratic presidential primary delegation.

Existing law provides a procedure for the selection of Democratic Party delegates following the direct primary election. 75% of such delegation must be selected in a prescribed manner. The remaining 25% of the delegation must be chosen at large and be apportioned among the presidential candidates and uncommitted delegations in the same proportion as delegates were awarded by congressional districts on the basis of the primary vote, and provision is made for ties.

This bill would provide that the remaining 25% of the delegation must be chosen at large and be apportioned among the presidential candidates and uncommitted delegations based on recalculated percentages determined by the vote each presidential candidate or uncommitted delegation received statewide divided by the total statewide vote for all candidates and uncommitted delegations receiving 10% or more of the statewide vote. It would also preclude such candidates and uncommitted delegation receiving less than 10% of the votes at the primary election from being awarded any at-large delegates.

The bill would take effect immediately as an urgency statute.

Ch. 206 (SB 1400) Petris. Cigarette tax: federal exemption.

Existing Cigarette Tax Law imposes a tax on certain sales or distributions of cigarettes, and does not exempt the sales of cigarettes to certain military exchanges, commissaries, ships stores, and the United States Veterans Administration.

This bill would exempt the sales of cigarettes to such federal installations. Such exemption would remain in effect only until January 1, 1980, and as of that date is repealed, unless a later enacted statute deletes or extends such date.

This bill would take effect immediately as a tax levy.

Ch. 207 (SB 1432) Nejedly. Malpractice.

Under existing law, persons may ask for a declaration of rights or duties in certain specified instances where there is an actual controversy between parties.

This bill would authorize insurers issuing professional negligence insurance to designated health care providers, any health care provider covered by such insurance, or potentially aggrieved persons, to bring an action in superior court for a declaration of rights, duties, and obligations under Chapter 1 as amended by Chapter 2, Statutes 1975, Second Extraordinary Session. It would permit specified persons to intervene, and if the action is appealed, the appeal would be given precedence.

This bill would take effect immediately as an urgency statute.

Ch 208 (SB 1458) Alquist. Public Utilities Commission

This bill would appropriate \$750,000 for the use and support of the Public Utilities Commission.

The bill would take effect immediately as an urgency statute.

Ch. 209 (SB 1497) Grunsky. Juror compensation: Monterey County

Existing law provides for reimbursement of grand jurors and trial jurors at the rate of \$0.15 per mile from their residences to the places of service, in going only.

This bill would provide instead for reimbursement of grand jurors and trial jurors at the rate per mile prescribed for county employees in going to, and returning from, the places of service.

Notwithstanding Section 2231 of the Revenue and Taxation Code, the bill would make no reimbursement nor appropriation because of a specified reason.

Ch 210 (SB 1591) Gregorio Schools: attendance. independent study

Current law specifies that a pupil enrolled in an independent study program must also be a full-time student enrolled in regular classes which meet the 240-minute minimum day.

This bill would specify, instead, that a pupil enrolled in an independent study program

must also be enrolled in a regular high school program for the prescribed minimum schoolday.

This bill would also incorporate additional changes in Section 11251, Education Code, as proposed by SB 1501, contingent upon the enactment of SB 1501.

This bill would take effect immediately as an urgency statute.

Ch. 211 (SB 1707) Russell. Credit unions.

Under existing law loan officers of credit unions may approve loan applications but in no event to exceed \$5,000 plus the unpledged shares of the borrower for any one loan.

This bill, in addition, would authorize loan officers of credit unions with paid-in and unimpaired capital and surplus of \$1,000,000 or more to approve loan applications within the limits set by the credit committee, but in no event in excess of \$10,000 plus the unpledged shares of the borrower for any one loan. It also prohibits loan officers from approving any extension agreement, or the refinancing of any delinquent loan.

Existing law provides that the credit committee of a credit union may approve in advance upon its own motion or upon the application of any member the extension of credit to any member.

This bill would extend such authority to a loan officer.

Ch. 212 (AB 1089) Ralph. Parks and recreation.

There is no existing law providing funds for the development of Watts Towers, Simon Roddia Park.

This bill would amend and supplement the Budget Act of 1975 to appropriate \$207,000, payable from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974, to the Department of Parks and Recreation for the development of Watts Towers, Simon Roddia Park, provided that none of such funds shall be available for expenditure unless and until such project is recommended by the State Park and Recreation Commission and reviewed by the Secretary of the Resources Agency.

These provisions of the bill would not become operative unless and until the City of Los Angeles transfers to the state the land and property designated as the Watts Towers, Simon Roddia Park. The bill would require the department, in consideration for such a transfer, to improve such land and property for park purposes and to enter into a contract with the city providing for the exclusive control of the use of such land and property by the city for park purposes.

The bill would also take effect immediately as an urgency statute.

Ch. 213 (AB 1664) Lancaster. Deposit of garbage in streets; traffic regulation.

Existing law prohibits any person from placing, depositing, or dumping any rocks or dirt upon any highway (or causing any such act) without the consent of the state or local agency having jurisdiction over the highway.

This bill would include refuse and garbage within the category of substances which are subject to such prohibition and would permit local authorities to adopt regulations regarding methods of depositing garbage and refuse in streets and highways for collection by the local authority or by any person authorized by it.

In addition, existing law provides that (1) local authorities may authorize persons to regulate traffic at the site of road or street construction or maintenance if the local authority has submitted and has had approved by the Commissioner of the Highway Patrol or chief law enforcement officer of the area in which the duties are to be performed, a program which will provide sufficient training for such duty.

The bill would amend such provisions to allow such authorization without requiring an approved training program for such persons.

Ch. 214 (AB 2238) Goggins. Industrial Welfare Commission: membership.

The existing law provides that the Industrial Welfare Commission consists of five members, at least one of whom shall be a woman, with the members appointed by the Governor.

This bill would require the Industrial Welfare Commission to be composed of two nonlawyers belonging to a recognized labor organization, two representatives of employers, and one representative of the general public, with the membership including members of both sexes, and being appointed by the Governor, with the consent of the Senate.

Ch. 215 (AB 2442) Torres. Public social service

Under the current aid to families with dependent children program, the Director of Employment Development is required to operate demonstration Community Work Experience Programs

The bill will eliminate such provisions.

Ch. 216 (AB 2775) Hart. School districts: purchases: periodicals.

Under current law school districts may purchase certain materials such as supplementary textbooks and library books without taking estimates or advertising for bids.

This bill would add periodicals to the list of items which may be so purchased.

Ch. 217 (AB 2794) Craven. Cities: elective mayors.

Existing law prescribes a procedure for establishment by a city of an elective office of mayor, in lieu of the alternative procedure under existing law that the mayor be selected by the city council. Once established, elimination of the office of elective mayor is neither authorized nor prohibited.

This bill would authorize the city council to submit to the electors of the city the question of whether or not to eliminate an elective office of mayor.

Ch. 218 (AB 2923) Foran. Appropriation: Department of Finance: emergencies.

The Budget Act of 1975 appropriated money for expenditure upon written authorization of the Department of Finance for emergencies.

This bill would appropriate \$71,048,600 to the Department of Finance to be expended for emergencies, which the bill would define, within specified categories, in amounts not to exceed those which the bill would specify, upon written authorization of the department.

This bill would take effect immediately as a statute to provide for the usual current expenses of the state.

Ch. 219 (AB 3088) Maddy. School building aid apportionments.

Under existing law, a school district, in order to qualify for certain state school building aid apportionments, must have an outstanding bonded indebtedness exceeding 95% of the basic bond requirement, as defined, of the district.

This bill would authorize state school building aid apportionments to be made to a school district not meeting the existing bonded debt requirements but meeting other prescribed conditions.

The provisions of the bill would remain in effect only until August 15, 1976, and as of that date would be repealed.

The bill would take effect immediately, as an urgency statute.

Ch. 220 (AB 3196) Keysor. Elections: conduct and voting.

Existing law requires precinct boards to post rosters of voter indexes at polling places, and to post a facsimile copy of the ballot and certain election materials, which ballots and materials must be printed in the Spanish language and in certain other languages under specified conditions.

This bill would specify that clerks, as defined, must furnish precinct boards such ballots and materials; and it would provide that in those counties which are required under the provisions of the Federal Voting Rights Act of 1965 to furnish elections materials in other than the English language that the posting, described above, would not be required.

Under existing law voters are permitted to use pencils, which are furnished at the polls, for purposes of write-in ballots.

This bill would include the use and furnishing of ink pens in such cases.

Existing law provides that not more than two members of any precinct board may be absent from the polling place at any one time.

This bill would require instead that a majority of the precinct board be present at all times.

Under existing law precinct boards are required to maintain certain information relating to voter challenges.

This bill would provide that, if evidence has been presented to the precinct board requesting challenges, such evidence must be returned to the clerk responsible for the conduct of the election.

In addition, this bill would delete certain obsolete provisions, and would make certain technical changes to conform to existing law.

This bill would also revise certain crimes relating to the conduct of elections by making certain misdemeanor offenses felonies and certain felony offenses misdemeanors.

Ch. 221 (AB 3264) MacDonald. Sanitary districts.

Nothing in present law specifically authorizes districts organized under the "Sanitary District Act of 1923" to cease action for collection of amounts owed the district.

This bill would authorize the board of directors of such a district to, by resolution, abandon action for collection of moneys owed the district, where the amount is too small to justify the cost of collection. The resolution would not discharge the debt but would relieve district officers and employees, and any other public officer or employee charged with the duty of collection, from any further obligation to pursue the claim.

This bill would provide that it is declaratory of existing law.

Ch. 222 (AB 3289) Gualco. Sales.

Existing law prohibits persons from offering, either by mail or by telephone, a prize or gift with the intent to offer a potential customer a sales presentation at the time the prize or gift is delivered or given in the customer's home, without disclosing at the time of the offer the intent to offer such sales presentation.

This bill would also prohibit persons from offering in person, such prize or gift, with the intent to offer a sales presentation, without disclosing at the time of the offer, the intent to offer such sales presentation. It would delete reference to the time the prize or gift is delivered or given in the customer's home.

Ch. 223 (AB 3310) Craven. City council elections.

Existing law provides that a city council may submit to the city's electors an ordinance specifying the method, from those available, by which the members of the city council shall be elected.

This bill makes a technical nonsubstantive change in the above provision.

Ch. 224 (AB 3322) Keysor. Elections: political endorsements.

Existing law sets forth various provisions relating to political endorsements in connection with elections; and it provides that a violation of any such provision constitutes either a felony or a misdemeanor.

This bill would renumber and make technical amendments to such provisions.

Ch. 225 (AB 3555) Vicencia. Public works: maintenance of records.

Under existing law, the engineer in charge of a public work is required to keep the plans, specifications, and cost estimates in his office or such other location as is required by law prior to commencement of the public work, and after completion the engineer is required to file with the county clerk a verified certificate setting forth designated information concerning the public work.

This bill would permit the engineer to keep on file either such plans and specifications or, as an alternative, a work authorization approved by the engineer describing the work to be performed. It would delete the requirement of filing with the county clerk after completion a verified certificate, and would require instead the filing of the required information. It would permit, where the engineer maintains an office in the county where the work is performed, the filing of the required information in such office rather than in the office of the county clerk.

Ch. 226 (AB 3613) Keysor. Elections: general provisions.

Existing law sets forth the general provisions governing the Elections Code.

This bill would repeal and reenact such general provisions, renumbering and revising them.

Ch. 227 (AB 4046) Arnett. Republican State Convention.

Existing law provides for the Republican State Convention to meet at 10 o'clock a.m. on the first Saturday in August following the direct primary, the notice for which to be sent no later than the first day of July.

This bill would provide for the Republican State Convention to meet in each even-numbered year at a time and date selected by the Chairman of the Republican State Central Committee, the notice for which to be sent no later than 60 days before the convention.

Ch. 228 (SB 1241) Cusanovich. Recreation and park districts: purchase contracts.

Existing law requires that any contract of a recreation and park district for the purchase of materials or the construction of any building, structure, or improvement, involving an expenditure in excess of \$3,000, be let to the lowest responsible bidder.

This bill would revise such provisions, requiring award to the lowest responsible bidder on all contracts for materials or supplies, not related to new construction, alterations, maintenance, or repair which would cost over \$5,000, on all projects for new construction which would cost over \$5,000 for materials, supplies, and labor, and on all projects for alteration, maintenance, or repairs which would cost over \$3,000 for materials, supplies, and labor.

Ch. 229 (SB 1525) Mills. Transportation: appropriation: construction of terminal facility.

Under existing law, \$250,000 was appropriated to the Department of Transportation for expenditure, during the 1974-75 to 1976-77 fiscal years, inclusive, for the development and construction of a cross-platform terminal facility offering direct passenger transfer services between the San Francisco Bay Area Rapid Transit District, the National Railroad Passenger Corporation (Amtrak), and the Alameda-Contra Costa Transit District; ~~the Metropolitan Transportation Commission, and the cities and counties involved.~~ [facilities]. ~~Such~~ [The] appropriation ~~was~~ [is] * subject to the condition that at least $\frac{1}{2}$ of the cost of such development and construction be financed from other sources of funds.

This bill would revise such provisions by deleting such condition, and instead ~~requir~~ ing [would require] * the department to seek federal and local funds to aid in financing such construction.

The bill would take effect immediately as an urgency statute.

Ch. 230 (SB 1601) Whetmore. Musician booking agencies.

Existing law provides a comprehensive scheme for the licensing and regulation of musician booking agencies.

This bill would make clarifying changes in such law and would also specifically exempt from regulation under the law persons who derive the major portion of their support from teaching.

Ch. 231 (AB 1582) Bane. Air pollution: oxides of nitrogen emissions devices: exemption.

(1) Under existing law, with specified exceptions, all 1966 through 1970 model year motor vehicles having a manufacturer's gross vehicle weight rating of under 6,001 pounds are required to be equipped with a certified oxides of nitrogen exhaust emission control device upon initial registration and upon transfer of ownership and registration.

This bill would also provide that the installation of such a device would not be required on such a vehicle if the registered owner is an elderly low-income person and the vehicle was purchased from a person other than a dealer or a person holding a retail seller's permit. "Elderly low-income person" would be defined as an individual over 62 years of age residing in a household wherein the combined adjusted gross income, as defined, of all members of the household is less than \$7,500 for the previous calendar year.

(2) Under existing law, no person may sell a vehicle unless it is equipped with required motor vehicle air pollution control devices.

The bill would require a dealer, or a person holding a retail seller's permit, selling to an elderly low-income person a 1966 through 1970 model year motor vehicle which is not equipped, as required, with an oxides of nitrogen exhaust emission control device, to install such a device on the vehicle without cost to that elderly low-income person.

(3) The bill would make no appropriation nor create any obligation for the reimbursement of any local agency for any cost incurred by it pursuant to this bill.

Ch. 232 (AB 2360) Vasconcellos. Pedestrian crosswalks near schools.

Existing statutory law requires that marked pedestrian crosswalks contiguous to school buildings or grounds be painted or marked in yellow and permits other noncontiguous crosswalks to be painted or marked in yellow if, among other conditions, the nearest point of the crosswalk is not more than 1,400 feet from school buildings or grounds.

This bill would increase such distance to 2,800 feet.

Ch. 233 (AB 2638) Maddy. Check cashers and sellers.

Existing law provides that: no person shall charge a fee for selling or cashing commercial paper in excess of one-half of one percent of the face amount of the commercial paper or fifty cents (\$0.50), whichever is greater.

This bill would raise the permissible fee to one percent of the face amount or fifty cents (\$0.50), whichever is greater.

Existing law provides that if commercial paper presented for cashing is drawn on a bank located outside of the state or in a face amount in excess of one hundred dollars, the fee shall not exceed one percent of the face amount.

This bill would provide that if commercial paper presented for cashing is drawn on a bank located outside of the state or is in a face amount in excess of fifty dollars, the fee shall not exceed one percent of the face amount or one dollar, whichever is greater.

Ch. 234 (AB 3138) Gualco. Vehicles: authorization for flashing or revolving amber warning lights; removal of limitation of number of lamps on authorized emergency vehicles.

Under existing law, various vehicles are permitted to display flashing warning lights under prescribed conditions.

This bill would permit any vehicle used by any police department, sheriff's office, or other governmental agency for the purpose of enforcing parking laws to display flashing or revolving amber warning lights to the front, sides, or rear of the vehicle when actually engaged in the enforcement of such laws and when either necessarily stopped on a street or when moving at a speed slower than the normal flow of traffic.

Existing law, in general, prohibits the lighting, at any one time, of more than 4 lamps of specified types, showing to the front of a vehicle, except that not more than 6 lamps showing to the front of an authorized emergency vehicle may be lighted at any one time.

This bill would revise such provisions by removing all limitations regarding the number of front showing lamps which may be lighted at any one time on an authorized emergency vehicle.

Ch. 235 (AB 3945) Priolo. Schools: interdistrict attendance agreements.

Existing law authorizes the execution of interdistrict attendance agreements.

The bill would require the Superintendent of Public Instruction to apportion from the State School Fund to school districts educating pupils of another district under an interdistrict attendance agreement an amount equal to the difference between the actual cost of educating the pupil and the revenue limit per unit of average daily attendance of the district in which the pupil lives. It would prescribe conditions to qualify for such an apportionment.

It would remain in effect only until June 30, 1977.

It would also take effect immediately as an urgency statute.

Ch. 236 (AB 4047) Duffy. State bonds.

Existing law provides for the Health Science Facilities Construction Program Bond Act of 1976 which authorizes the issuance of bonds in a maximum amount of \$138,100,000 to provide funds to meet the construction, equipment, and site acquisition needs of the state for purposes of providing health science facilities at the University of California. It provides for a special election on November 2, 1976, to submit the matter of the issuance of such bonds to the people.

This bill would repeal such provisions.

This bill would take effect immediately as an urgency statute.

Ch. 237 (AB 956) Z'berg. Contracts for discount buying services.

Existing law does not regulate organizations which provide their clients, for consideration, with the right to obtain goods or services at discount prices.

This bill requires discount buying organizations which charge more than a one-time fee of \$50 or an annual fee of \$25 per year to provide a bond or cash deposit to guarantee further services. This bill requires certain disclosures be made to future customers, limits contracts to a period not to exceed two years, and makes other provisions with respect to the contract.

This bill allows any buyer injured by a violation of its provisions to bring an action for damages and restitution, with recovery to be treble damages, restitution and reasonable attorney's fees and costs. In the event that untrue or misleading representations have been made, judgment shall be entered for \$1,000 plus reasonable attorney fees or three times the amount of actual damages plus restitution plus reasonable attorney's fees, whichever is greater.

This bill also makes it a misdemeanor to violate any of its provisions.

This bill provides that neither appropriation is made nor obligation created for the reimbursement of any local agency for costs incurred by it pursuant to this act.

Ch. 238 (AB 1013) Joint Committee on Legal Equality and Assemblyman Maddy. Appointive offices: list of vacancies.

Existing law does not require the preparation of lists of scheduled vacancies in appointive positions filled by a city council or county board of supervisors.

This bill would enact the Maddy Local Appointive List Act of 1975, which would require each board of supervisors of a county or city council of a city, whether chartered or general law, to prepare an appointments list, containing specified items, of all regular and ongoing boards, commissions, and committees for which the city council or board of supervisors has the appointive power, and require that the list be made available to the public for not more than actual cost.

This bill would require a special vacancy notice to be posted in the office of each county or city clerk within 20 days after any unscheduled vacancy occurs, and would prohibit an appointment to the position for 10 days after the notice is posted except that if the legislative body finds that an emergency exists it may fill the unscheduled vacancy immediately, but any person so appointed would only serve on an acting basis until a final appointment is made.

This bill would provide that no appropriation is made for the reimbursement of local agencies because self-financing authority is provided in the bill.

Ch. 239 (AB 1711) Thurman. Weights and measures.

Under existing law, any weight or measure or weighing or measuring device which has been repaired may, with the authorization of the sealer, be placed in service pending reinspection. This bill would permit any such device which has been found correct or corrected by a repairman to be placed in service pending reinspection.

Existing law regulates the sale of certain commodities and their packaging pursuant to the Fair Packaging and Labeling Act. In addition to other provisions, that act requires any consumer commodity offered for sale or sold, which does not contain a statement of net quantity, to be taken off sale and not returned until a statement of net quantity is put on.

This bill would remove that portion of the provision making this prohibition applicable only to consumer goods, and would require a statement of net quantity on all packaged commodities, as defined.

This bill also would provide that no appropriation is made for reimbursement of local agencies for costs incurred by them pursuant thereto because the Legislature recognizes that during any legislative session a variety of changes to laws relating to crimes and infractions may cause both increased and decreased costs to local government entities which, in the aggregate, do not result in significant identifiable cost changes.

Ch. 240 (AB 2514) Papan Frozen yogurt dessert

(1) Under the existing law, certain designated milk products that are manufactured in a freezing device from which such products are served directly in a semifrozen state, without packaging of any type, for consumption on the premises in or from rooms where food is served to the public, are exempt from specified provisions regulating standards for milk products plants.

This bill would include frozen yogurt dessert, which is manufactured from frozen yogurt mix, and low-fat frozen yogurt dessert, which is manufactured from low-fat frozen yogurt mix, that meet such requirements within such designated products that are exempt from such specified provisions.

(2) The existing law requires that milk drink mix or sterilized milk drink mix, ice cream mix, ice milk mix, frozen yogurt mix, and low-fat frozen yogurt mix that are used for the manufacture of milk drink, ice cream, and ice milk be secured from a licensed manufacturer of milk products.

This bill would, in addition, require that frozen yogurt mix and low-fat frozen yogurt mix be secured from a licensed manufacturer of milk products and manufactured into a semifrozen state without adulteration and prohibit the reuse of freezing device salvage as a mix

(3) The existing law provides standards for frozen yogurt dessert and low-fat frozen yogurt dessert.

This bill would provide that frozen yogurt mix and low-fat frozen yogurt mix are unfrozen products which are used in the manufacture of frozen dessert and low-fat frozen yogurt dessert. It would require them to comply with all the requirements for frozen yogurt dessert and low-fat frozen yogurt dessert, respectively. It would require that the use of fruit or flavoring in frozen yogurt mix and a low-fat yogurt mix be subject to the approval of the Director of Food and Agriculture.

(4) Existing law does not require the posting on the premises where frozen yogurt and low-fat frozen yogurt desserts are manufactured and served a sign specifying that such desserts are served

The bill would require any person manufacturing and serving such desserts to post such a sign and to include on such sign a list of the ingredients in the desserts. The sign is required to be posted in a conspicuous location, such as a menu, and be legibly printed.

(5) The law presently makes no provision for a license fee for a semifrozen (soft-serve) milk products plant which is used to manufacture frozen yogurt dessert or low-fat frozen yogurt dessert different from the fee for any other ice cream or other frozen milk products plant.

This bill would provide a separate license fee of \$75 annually for such plants instead of, but not in addition to, the present fee charged for a license on any ice cream or frozen milk products plant. The bill would also provide that if a person is subject to a license fee under the present provision and a licensing fee under the provisions added by the bill, the person would be subject to the higher licensing fee.

(6) The bill would also provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the act, for specified reason.

Ch 241 (AB 2570) Gualco. Public Employees' Retirement System contributions, state.

Existing Public Employees' Retirement Law prescribes specified state contributions to the retirement fund in respect to state safety members. This bill would increase that contribution rate

The bill would take effect immediately as an urgency statute

Ch. 242 (AB 2641) Robinson. Child abuse

Present law requires specified persons, including county welfare departments, to report cases of suspected physical and mental abuse or sexual molestation of minors to designated local authorities. It also authorizes but does not require, probation officers to make such a report. It also provides that no civil or criminal liability shall be incurred as a result of making such a report unless it can be proven that a false report was made with malice.

This bill would add to the conditions in the liability provisions, the condition that a

person making a false report knew or should have known it was false, and would delete the condition that the report be made with malice

This bill would additionally provide that any person may make such a report and that no person shall incur any civil or criminal liability for reporting any suspected case of child abuse to designated local authorities unless it can be proven that a person making a false report knew or should have known the report was false, and would make a technical change.

Ch. 243 (AB 2834) Duffy. Schools: county superintendents of schools: maximum tax rate

Current law prescribes a maximum tax rate for county superintendents of schools.

This bill would permit the maximum tax rate for the operation, maintenance, and housing of a fiscally independent county office of education to be increased by an amount up to \$0.01 per \$100 of assessed valuation if the maximum general purpose tax rate of the county is reduced by a corresponding amount. The bill would require, as a condition to such increase, agreement thereto by the county board of supervisors and the county board of education.

This act would take effect immediately as an urgency statute.

Ch. 244 (AB 2383) Perino. Older Americans.

Under the current McCarthy-Kennick Nutrition Program for the Elderly Act the Office on Aging supervises federal funds for nutrition programs under the federal Older Americans Act.

This bill would provide that where the office determines that the failure or inability of a contractor receiving such federal funds to perform requires it to suspend, terminate or withhold such funds, the office may provide on a purchase-of-service basis, the contractor's nutrition services for a period of 60 days. The bill would appropriate \$40,000 for such purpose.

The bill is an urgency statute to take immediate effect.

Ch. 245 (AB 2639) Maddy. Cemetery districts: generally.

(1) The existing law, authorizing a county to loan funds to certain districts within the county, does not include public cemetery districts in the enumerated districts which may be recipients of such loans.

This bill would add public cemetery districts to the existing law.

(2) Existing law authorizes public cemetery districts to sell burial rights in cemetery lots and requires the preparation and maintenance of a detailed map of such lots by the trustees.

This bill would additionally require the trustees to keep a detailed record of all remains interred in the cemetery.

(3) Existing law authorizes the trustees of a public cemetery district to establish an endowment care fund and invest the principal of such fund in income-producing securities as approved by the treasurer and district attorney of the county.

This bill would, instead, specify the types of investments that such funds may be invested in

(4) Existing law also provides that no deposit is required in a public cemetery district's endowment care fund for any burial if such fund was established subsequent to September 11, 1957, and the trustees of such district adopt a resolution that such deposit is not required.

This bill would repeal the existing law with regard to such endowment care fund deposits.

(5) This bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by this bill for a specified reason

Ch. 246 (AB 3195) Keysor. Elections: voting

Existing law regulates the conduct of elections by means of voting machines, electronic or electromechanical vote tabulating devices, and punchcard voting systems.

This bill would repeal the above provisions and enact new provisions for the regulation of elections conducted by means of voting machines, vote tabulating devices and other

mechanical, electromechanical, or electronic voting systems.

Effective January 1, 1977, [in] * all elections, except statewide primary and general elections and special elections to fill vacancies in Congress or the Legislature, and elections where ballots are counted manually at the polling place, a precinct board may consist of only one inspector and two or more judges, rather than a minimum of four members.

This bill would delete the above provision.

Ch. 247 (AB 3235) Lewis Refunding of bonds of local agencies.

Existing law requires an issuer, before selling an issue of bonds more than \$500,000 in value, to advertise such bonds for sale and invite sealed bids, and if no bids are received or if the issuer determines that the bids received are not satisfactory, the issuer may reject all bids and either readvertise or sell such bonds at private sale, but the existing law does not specifically provide whether such provisions are applicable to general bond issuances or only applicable to the refunding of bonded indebtedness of local agencies and the refunding of revenue bonds of local agencies.

This bill would specifically provide that such provisions are applicable only to the refunding of bonded indebtedness and the refunding of revenue bonds of local agencies.

The bill would provide that it is declaratory of existing law.

Ch. 248 (AB 3254) Keysor. Measures submitted to voters.

Existing law requires each county clerk or registrar of voters to determine the total number of signatures affixed to a statewide initiative or referendum petition. Such determination is required to be made within 5 days after the filing of such petitions.

This bill would expressly exclude Saturdays, Sundays, and holidays from being calculated as within the 5-day period described above.

Under existing provisions of the Political Reform Act of 1974, codified in Title 9 (commencing with Section 81000) of the Government Code, the contents, form, preparation, and availability of state ballot pamphlets is prescribed.

This bill would restate such provisions in the Elections Code without affecting their codification in the Government Code.

Under existing law qualifying local measures are required to be submitted to the voters at the next scheduled general election.

This bill would require such measures to be submitted to the voters at the next scheduled statewide election rather than only general elections.

Existing law requires county clerks and city clerks, respectively, within 30 days from the date of filing of an initiative or referendum petition relating to a county or a city measure, to examine such petition and ascertain whether or not the petition is signed by the requisite number of voters in prescribed similar manners.

This bill would provide that the above procedures relating to petitions concerning county and city measures shall be the same; and would permit, in both cases, the respective clerks with respect to such local initiative and referendum petitions, if more than 500 signatures are affixed to such petitions, to initially use a random sampling technique for verification of signatures.

This bill would also provide that the method of obtaining signatures for, the method of certifying to, and the manner in which preservation of, all local petitions, including county, city, and district, shall be employed in the same prescribed manner.

Ch. 249 (AB 3320) Keene Vehicles tandem axle weight limits

(1) Existing law permits trucks and vehicle combinations transporting loads composed solely of logs to carry, on two consecutive sets of tandem axles that are 34 feet or more apart, a gross load of 34,500 pounds on each such axles.

This bill would permit such a truck or vehicle combination to carry, instead, a total gross weight of 35,500 pounds on one set of tandem axles and would permit such a truck and vehicle combination that has two consecutive sets of tandem axles to carry a combined total gross weight of 69,000 pounds, if the total gross weight on any one such set does not exceed 35,500 pounds and if the overall distance between the first and last axle of such consecutive sets is 34 feet or more. For the purpose of determining the amount of fine for weight violations, the bill would specify that the allowed weight in pounds specified in other provisions of law applicable to vehicles generally shall be the max-

imum permitted weight for any such truck or vehicle combination transporting logs, while, however, making an exception for any violation for exceeding the total gross weight for two consecutive sets of tandem axles that are 34 feet or more apart by providing that the allowed weight for such axles shall be 68,000 pounds.

(2) Existing law specifies that such vehicles are subject to all provisions of law relating to axle weight limits generally, except for a provision stating that such weight limits shall include all enforcement tolerances.

This bill would specify that such vehicles are subject to all such provisions, but additionally would state that the gross weight limits applicable to such vehicles shall include all enforcement tolerances.

This bill would take effect immediately as an urgency statute.

Ch. 250 (AB 3655) Sieroty. Juveniles: federal custody: detention—reimbursement.

Present law does not specifically provide for detention by probation officers of juveniles in federal custody.

This bill would authorize probation officers to receive and detain in the county juvenile hall any juvenile committed thereto by federal authority, as specified; would limit such detention to 3 judicial days in the absence of a valid federal court detention order; and would authorize county boards of supervisors to contract with the United States for related reimbursements.

This bill would take effect immediately as an urgency statute.

Ch. 251 (AB 3767) Greene. School buildings: earthquake safety.

Under existing law, school buildings constructed prior to 1933, generally are required to be inspected and, if found not to conform to the structural standards of the so-called Field Act, to be repaired, reconstructed or replaced by June 30, 1975. The law prescribes specific procedures for the inspection of such buildings and for the conduct of local elections to authorize increased tax rates or the issuance of bonds to finance the necessary repair, reconstruction or replacement of unsafe school buildings, or to authorize the building's abandonment.

Certain auxiliary school structures are excluded from the definition of "school building" for these purposes.

This bill would specifically exclude swimming pools, yard or lighting poles or flag poles or playground equipment not exceeding 35 feet in height, and bleachers and grandstands of less than six rows of seats from the definition of "school building" for such purposes.

The bill would delete from the law provisions prescribing procedures for the conduct of local elections to authorize increased tax rates or the issuance of bonds to finance the repair, reconstruction or replacement of unsafe school buildings, or their abandonment.

Ch. 252 (SB 1342) Nejedly. Hospitals: automatic sprinkler system.

Under existing law, any hospital, children's home, nursing or convalescent home, or similar institution, with certain exceptions, may not operate beyond June 30, 1976, unless an automatic sprinkler system approved by the State Fire Marshal has been installed.

This bill would temporarily exempt from such requirements any hospital which is to be replaced by the construction of another facility during the time required to complete construction of the replacement hospital and make it available for occupancy without unreasonable delay, as determined by the State Department of Health and in no case exceeding two years from the date the actual work of construction is commenced, provided certain prescribed conditions are met.

This bill would incorporate changes in Section 13113 of the Health and Safety Code made by SB 1480, which would be operative only if SB 1480 is chaptered before this bill.

This bill would take effect immediately as an urgency statute.

Ch. 253 (SB 1732) Alquist. Retirement: expense of administration.

Existing law provides that in certain counties the entire expense of the administration of the retirement system shall be charged against the earnings of the retirement fund.

This bill would provide that in such counties the retirement and investment boards shall annually adopt a budget covering the entire expense of the administration of the retirement system, which expense shall be charged against the earnings of the retirement fund.

Ch 254 (SB 1784) Alquist. County Employees Retirement Law administrative costs

Existing County Employees Retirement Law of 1937 in some counties requires the entire administrative costs of the retirement system to be charged against the earnings of the retirement fund and limits such charge to not more than $\frac{1}{10}$ of 1 percent of the total assets of the system

This bill would limit the charge against the earnings of the retirement fund for administrative expenses to .18 of 1 percent in Alameda County

Ch 255 (SB 1964) Nejedly. School districts: liability protection.

Under existing law, school districts are required to insure against various forms of liability of the district, its officers and employees, except that in the case of districts with 50,000 or more average daily attendance, the district is permitted to protect against such liability from its own funds.

This bill would permit any school district, rather than only those with 50,000 or more average daily attendance to self-insure against liability of the district, its officers and employees.

Ch 256 (AB 3215) Warren. Metropolitan water districts.

Existing law provides for metropolitan water districts with specified powers for the purposes of, among others, furnishing water at wholesale for municipal and domestic uses.

This bill would authorize a metropolitan water district to provide, generate and deliver hydroelectric power and utilize its property and water for such purpose. The bill also authorizes a metropolitan water district to contract to provide, sell and deliver hydroelectric power to the United States, the state, public and private entities, as defined or to use all or any part of such hydroelectric power.

The bill would authorize a metropolitan water district to use proceeds from revenue bonds issued before or after the effective date of the bill for the acquisition and construction of works, facilities, improvement, and properties for the provision, generation, and delivery of hydroelectric power.

The bill would take effect immediately as an urgency statute

Ch. 257 (AB 3503) Chiribole Juniper Riviera County Water District.

Existing law provides for the levy of taxes on all the property within a county water district, or an improvement district in a county water district, for the payment of all charges, claims, expenditures, expenses, and principal and interest on bonded indebtedness and other indebtedness.

This bill would require the Board of Supervisors of San Bernardino County, upon annual request of the Juniper Riviera County Water District, to levy any one, or all, bond or other taxes on land only in the district or improvement district benefited by the purpose of the bonded debt or other indebtedness and specifies the necessity for levying the tax or taxes on land only in this district.

The bill would take effect immediately as an urgency statute.

Ch. 258 (AB 3534) Boatwright. Reserves for contingencies.

The Budget Act of 1975 appropriated money for expenditure upon written authorization of the Department of Finance for emergencies.

This bill would appropriate \$30,520,089 in augmentation of such appropriation and provide for the allocation of such funds among specified state officers and departments and for other specified purposes by the Director of Finance

The bill would take effect immediately as a measure to provide for the usual current expenses of the state.

Ch 259 (SB 1321) Nejedly Park, beach, recreational, and historical resources bond issue.

Under existing law, general state obligation bonds have been issued pursuant to the Cameron-Unruh Beach, Park, Recreational, and Historical Facilities Bond Act of 1964 and pursuant to the State Beach, Park, Recreational, and Historical Facilities Bond Act of 1974 to provide funds to acquire and establish state and local beaches, parks, recreational facilities, and historical resources

This bill would enact the "Nejedly-Hart State, Urban, and Coastal Park Bond Act of 1976," which, if adopted, would authorize the issuance, pursuant to the State General Obligation Bond Law, of bonds in the amount of \$280,000,000 to provide funds to acquire, develop, and restore real property for state and local park, beach, recreational, and historical resources preservation purposes, as specified. The bill would provide for submission of the bond act to the voters at a special election to be consolidated with the 1976 general election, with the provisions of the bond act becoming operative January 1, 1977, if it is adopted by the voters at the special election.

The bill would appropriate \$100,000 to the Department of Parks and Recreation from the Bagley Conservation Fund for specified planning purposes.

The bill would take effect immediately as an urgency statute.

Ch 260 (SB 2202) Nejedly. Park bond issue election: ballot designation.

Senate Bill No. 1321 of the 1975-76 Regular Session of the Legislature proposes the enactment of the "Nejedly-Hart State, Urban, and Coastal Park Bond Act of 1976" and would provide for the submission of the bond act as "Proposition 1" at a special election to be consolidated with the 1976 general election.

This bill would provide, instead, that such bond act be submitted as the second proposition on the ballot at such election and be designated "Proposition 2."

This bill would take effect immediately as an urgency statute.

Ch 261 (AB 3553) Fazio. Public utilities: water corporations.

Existing law defines "water corporations." Such corporations are regulated as public utilities.

This bill would be a special act applicable only to water corporations in Yolo County. It would provide that such corporations may expand only for certain reasons for a specified period.

The bill would take effect immediately as an urgency statute.

Ch. 262 (AB 2985) Thurman. School district reorganization: taxation.

Existing law prescribes procedures for the reorganization of school districts and community college districts.

Under existing law the boundary changes of reorganized districts are not effective for purposes of local assessment and taxation for the fiscal year beginning on the following July 1, unless various statements, resolutions, maps, and plats regarding the boundary changes had been filed by January 1.

This bill would validate certain specified reorganizations of school district and community college district territory for purposes of allowing the assessment and taxation of property therein during fiscal year 1976-77 if the required statements, resolutions, maps, and plats are filed on or before April 15, 1976, May 15, 1976, or June 15, 1976, in designated instances.

The bill provides that for specified reasons there shall be no reimbursement nor appropriation to local agencies for any costs mandated by this act.

This bill would take effect immediately as an urgency statute.

Ch. 263 (SB 1416) Rodda. Chiropractic.

Under existing law, the Board of Chiropractic Examiners is composed of 5 chiropractors. This bill would provide for two additional members who would be public members, and would make related changes.

Under existing law, a school or college which teaches a chiropractic course of not less than 4,000 hours, extended over a period of four nine-month school terms in specified subjects is eligible for approval as a chiropractic school or college.

This bill would provide that a school or college having status with the Accrediting Commission of the Council on Chiropractic Education or equivalent criterion, and teaching specified subjects, is eligible for approval as a chiropractic school or college.

Under existing law, an applicant to practice chiropractic must make application to the Board of Chiropractic Examiners 15 days prior to any meeting thereof, must be a graduate of an approved school or college which teaches a course as specified of not less than 4,000 hours extended over a period of four nine-month school years, and must present to the board a high school diploma.

This bill would extend the application time to 45 days prior to a meeting of the board and would provide that applicants who matriculated in a chiropractic school after the effective date of this bill must present evidence of having attended and graduated from a chiropractic college accredited by or recognized as a candidate for accreditation by the Accrediting Commission of the Council on Chiropractic Education, or the equivalent thereof. Applicants would also be required to present a transcript of 60 prechiropractic college credits or its equivalent as specified. The course of study required of such students would be modified by this bill.

Applicants who matriculated in a chiropractic school prior to the effective date of this bill would not be required to meet the new requirements imposed by the bill, but would be required to meet those requirements that existed prior to the effective date of the bill.

Under existing law, an applicant to practice chiropractic must pass an examination given by the California Board of Chiropractic Examiners.

This bill would permit the California Board of Chiropractic Examiners to accept a certificate and grades from an examination given by the National Board of Chiropractic Examiners in lieu of all or part of the state examination.

Under existing law, a license is granted to an applicant who makes a general average of 75 percent, and does not fall below 60 percent in more than two branches of the examination given by the board.

This bill would also require applicants to receive a score of 75 percent in all parts of the practical examination.

This bill would be operative as specified only upon submission to and approval by electors.

Ch 264 (SB 1524) Smith. Residential energy insulation and solar heating and cooling.

Nothing in current law authorizes the State Energy Resources Conservation and Development Commission to make loans to finance residential installations of energy insulation or solar heating or cooling systems.

This bill would authorize the commission to conduct such a loan program. The commission would be required to determine overall eligibility criteria for the loan program and to allocate funds available for loans among the various types of eligible residential structures and climatic zones. The commission would be required to establish criteria against which each loan application would be assessed. The bill would require administration of the loan program to be conducted by the California Housing Finance Agency pursuant to a contract with the commission. The terms of individual loans would be determined by the agency.

The bill would authorize the agency to enter into contracts with private lending institutions for screening, processing, awarding, disbursement, servicing, and termination of such loans.

The bill would transfer the duties of the California Housing Finance Agency for loan administration under the bill to a state energy financing authority or a state energy credit acceptance corporation if either entity is established by a future legislative enactment.

The bill would provide, conditioned upon the approval of the state electorate, for the issuance of state bonds in a total amount not exceeding \$25,000,000, the proceeds of which are authorized for use in conducting the loan program. The bonds would be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law. The bill would require submission of the bond proposal to the electors in November of 1976.

The bill would create a Residential Energy Conservation Loan Fund, which would be continuously appropriated to the commission for the purposes of the bill, as prescribed.

Ch. 265 (SB 483) Alquist. Fire protection: automatic extinguishing systems

There is no existing statutory law which requires automatic fire extinguishing systems to have a particular type of backflow protection equipment.

This bill would classify automatic fire extinguishing systems into five classes and would prescribe backflow protection equipment for each class [certain classes] *. The bill would not preclude the State Department of Health, or a local water purveyor with the

concurrence of the state department, from adopting and enforcing additional requirements with respect to automatic fire extinguishing systems, when such requirements are deemed necessary to protect the public health.

The bill would provide that there would be no reimbursement to local agencies for any costs incurred under the bill.

The bill would take effect immediately as an urgency statute.

Ch 266 (SB 1459) Behr. Prisoner education.

Existing law authorizes the county superintendent of schools of Riverside and Marin Counties to establish and maintain classes or schools for prisoners in any county jail, or any county industrial farm or county or joint county road camp for the purposes of providing instruction in certain specified subjects.

This bill would terminate the effect and operation of those provisions on January 1, 1979.

Ch 267 (SB 1569) Ayala Schools: governing boards: terms of office

Current law specifies the term of office of governing board members of a school district governing board when a city charter is amended to no longer provide for a board of education.

This bill would change the date of expiration of such terms from June 30 to March 31 of the specified years

Ch 268 (SB 1570) Ayala. Schools: candidates for district governing boards and county boards of education: filings

Existing statutes require, for placing the name of any registered voter on the ballot for elections for school district governing boards or county boards of education, that a declaration of candidacy or a nomination by sponsors be filed with the county clerk not more than 89 days nor less than 59 days prior to the election.

This bill would change such filing deadline to a filing period of not less [more] * than 89 days nor less than 68 days prior to the election.

Ch. 269 (SB 1572) Alquist. San Benito County Flood Control.

The San Benito County Water Conservation and Flood Control District Act permits any parcel, parcels, or tract of land to be annexed to a zone of the district in accordance with prescribed procedures if the land will be benefited.

This bill would prohibit the annexation of land to a zone of the district, in the case of annexation proceedings instituted by the owner of the land, unless the board of directors of the district makes a finding at the annexation hearing that there is sufficient surplus water available within the zone for use on the land to be annexed.

The bill would also permit the board of directors in annexing any such land to provide for the levy of an annexation fee upon the taxable property within the annexed area and to specify the terms for assessing such fee, and would provide for the addition of such annexation fee to the annual county tax roll in accordance with the board's order, unless the fee is paid at the time, or within 10 days, of the board's adoption of a resolution of annexation

Ch 270 (SB 1599) Nejedly Arrest: citation, reasons for nonrelease.

Existing law requires that when a person is arrested for a misdemeanor without being released on a notice to appear, the arresting officer shall indicate a reason for nonrelease on a form established by the employing law enforcement agency by indicating whether or not each of specified reasons was a reason for nonrelease.

This bill would limit the requirement so that the arresting officer need only indicate which one or more of the specified reasons were reasons for nonrelease

This bill would take effect immediately as an urgency measure.

Ch 271 (SB 1697) Stiern. Real estate licensing revenue

Existing law provides for the deposit of one-fourth of the amount of license fees collected by the Real Estate Commissioner pursuant to the Real Estate Law to the credit of the Real Estate Education, Research and Recovery Fund to be allocated, transferred, expended, and controlled in accordance with certain provisions. The other portion of the license fees are deposited in the Real Estate Fund

This bill would abolish the Real Estate Education, Research and Recovery Fund and would provide for the transfer of the unencumbered balance of the money in such fund to a separate account in the Real Estate Fund. It would also provide for the deposit of one-fourth of the amount of license fees presently deposited in the Real Estate Education, Research and Recovery Fund into such separate account in the Real Estate Fund and would make the provisions presently regulating allocation, transfer, expenditure, and control of the Real Estate Education, Research and Recovery Fund applicable to such separate account in the Real Estate Fund

Ch. 272 (SB 1708) Russell Credit unions

Existing statutory law does not specify the rights of a minor as a credit union member or the duties and obligations of a credit union with respect to shares or certificates for funds owned in joint tenancy.

This bill would provide authority for a credit union to issue shares or investment certificates to a minor of any age and ~~specifies~~ [specify] * that a minor may withdraw, transfer, or pledge any such shares or certificates and receive all dividends and interest for the shares or certificates. It would also specify that the receipt or acquittance of a minor whose parent or guardian has consented to the account, whether before or after any transaction therein, constitutes a valid release and discharge of the credit union for the payment of dividends, interest, or other money due such minor.

The bill also would provide that all dividends and interest on shares or certificates may be paid to any of the joint tenants during their lifetime or to the survivor of any one survivor after the death of one or more of the joint tenants. It also provides that such payment and the receipt or acquittance of any joint tenant is a valid and sufficient release and discharge of the credit union for all payments made on account of shares or certificates owned in joint tenancy in the absence of written notice from a joint tenant.

Ch 273 (SB 1901) Dills. Schools disbursement procedures.

Under existing law, disbursements of funds by school districts of 10,000 or less in average daily attendance, are governed by provisions which generally require all such disbursements to be examined and approved by specified county officers.

This bill would establish procedures whereby a school district, following an audit, could be designated by the county superintendent of schools and county auditor as being fiscally accountable and could thereafter draw warrants directly against district funds in the county treasury.

The bill would make related changes

Ch 274 (SB 1947) Presley County water districts powers.

Existing law permits county water districts to convey, supply, control, distribute, store, spread, sink, treat, purify, recapture, and salvage water.

This bill would, in addition specifically permit county water districts to undertake a water conservation program and to require, as a condition of new service, that reasonable water-saving devices and water reclamation devices be installed.

Ch 275 (AB 77) Lanterman Community colleges- handicapped students

(1) The law currently provides for transfer to the community college portion of the State School Fund of specified amounts per a d.a. for the education of physically handicapped, mentally retarded, and educationally handicapped students, and for the transportation to special classes of certain handicapped students, and for the transportation of students generally.

This bill would provide, instead, for the same gross amount per a d a. to be transferred to the community college portion of the State School Fund for the combined purpose of funding the cost of providing various specified services to handicapped students enrolled in community colleges and would specify a limit upon such amount. For this purpose, handicapped students are defined as students having exceptional needs due to a physical, communication, or learning disability.

(2) The law currently provides for a special apportionment to community college districts in a designated amount for each physically handicapped student, as defined, enrolled.

This bill would, instead, provide for apportionments, to be included in the first and second regular principal apportionments to community college districts, of an amount up to a designated maximum for each handicapped student, as defined, enrolled. This bill would allow the prescribed amount per student to be doubled under certain conditions, so long as the total authorized apportionment was not exceeded.

This bill would also prescribe the extent to which it supersedes provisions of the Budget Act of 1975 with respect to the derivation and distribution of Section B of the State School Fund.

It also would specify that it does not supersede designated portions of the Budget Act of 1976

This bill would take effect immediately as an urgency statute.

Ch 276 (AB 82) Knox. Administrative mandamus

Existing law establishes a maximum time limit for seeking review of administrative determinations of designated state agencies by means of administrative mandamus, but does not generally provide for such a limitation for that type of judicial review of decisions of local agencies.

This bill would limit to 90 days following specified final decisions in adjudicatory administrative hearings of local agencies, as defined, the time within which an action could be brought to review such decisions by means of administrative mandamus. The agency making the decision would be required to give notice to the party, as defined, that the time for judicial review of its decision is governed by the provisions of the bill.

Under existing statutory law there is no duty imposed upon local agencies to prepare a record of the proceedings had before it when review of its adjudicatory determinations is sought by means of administrative mandamus

This bill would require such agencies to prepare such a record and furnish it to the person seeking such review. This bill would permit the local agencies to recover actual costs for such preparation

This bill would apply to local agencies only if their governing board adopts an ordinance or resolution making it applicable

Ch. 277 (AB 2990) Keene. Schools: property: lease-purchase payments.

Existing law requires that where territory is transferred from a school district and is annexed to or included in another school district, the acquiring district shall automatically assume and shall pay to the district from which the territory is transferred a proportionate share of the remaining payments due under a lease or lease-purchase agreement

This bill would permit the governing board of the Ukiah Unified School District to relieve the acquiring district of the obligation to pay such proportionate share, where the territory transferred did not exceed 10% of the assessed valuation of the ~~district from which transferred~~ [Ukiah Unified School District] *

This bill would take effect immediately as an urgency statute.

Ch 278 (AB 2851) Lanterman. Special education

Existing law requires that local comprehensive plans for special education submitted for approval by the State Board of Education shall include specified levels of identification, assessment, and instructional planning. Among such requirements is a school appraisal team consisting of specified persons. The team is also required to utilize the services of designated professionals including the school psychologist and school nurse.

This bill would provide that, to the extent possible without incurring costs that would exceed existing financial resources for the school appraisal team, the school psychologist and nurse are to be members of such team

Ch. 279 (AB 2678) Greene. High school graduation requirements.

Under existing law the governing board of a school district must prescribe minimum academic standards for graduation from the high schools within the district, but no minimum length of residency within the district is required

This bill would prohibit any governing board from requiring as a condition for graduation from high school that a pupil have resided within the district for any minimum length of time

Ch 280 (AB 2629) Deddeh. State school building aid: grades 7 and 8.

Under existing law, for the purposes of the State School Building Aid Law of 1952 and the computation of the existing area of adequate school construction, pupils attending grades 7 and 8 in an elementary district but residing in a high school district which maintains one or more junior high schools may not be considered in determining or estimating the average daily attendance of the elementary district, unless the elementary district is maintaining and has continuously maintained grades 7 and 8 since a date prior to January 1, 1959.

This bill would add a further exception to the general prohibition, to permit such consideration where the electorate of the district, during 1974, has authorized the return of the 7th and 8th grade pupils from the high school district and the maintaining of grades 7 and 8 in the elementary district.

Existing law also prescribes special repayment provisions where an elementary district receives an apportionment under such law, a portion of which is for space for pupils in grades 7 and 8 who reside in a high school district which maintains one or more junior high schools.

This bill would repeal such provisions.

This bill would go into immediate effect as an urgency statute.

Ch 281 (AB 2363) Fenton. Public works: wages.

Under existing law the awarding body determines the general rate of per diem wages when awarding a contract or authorizing public works.

This bill would instead require the Director of the Department of Industrial Relations to make such determination.

Under existing law a state agency, supported by the General Fund, which renders services to a state agency supported by a special fund may charge the special fund for such services.

This bill would make such provision inapplicable when the Department of Industrial Relations determines the general rate of per diem wages to be paid by an agency when awarding a contract or authorizing public works.

Under existing law the governing board of a school district ascertains the general prevailing rate of per diem wages in the locality in which a building is to be constructed.

This bill would require the board to obtain such information from the Director of the Department of Industrial Relations.

Under existing law per diem wages are not defined to include certain travel time and subsistence pay.

This bill would define per diem wages to include certain travel time and subsistence pay.

This bill would also provide that no appropriation is made and the state shall not reimburse local agencies for costs incurred by them pursuant to this bill.

Ch. 282 (AB 2688) Thurman. Limitation of actions: tolling.

Existing law does not automatically toll statutes of limitation in a civil action while the person liable is under an order of restitution as a condition of probation.

This bill would toll specified statutes of limitation during such period with respect to the specific act or omission giving rise to such liability.

Ch. 283 (AB 2576) Arnett. Satisfaction of judgments; acknowledgment.

Under existing law, except in specified cases, when an abstract of judgment has been recorded and the judgment has been satisfied the judgment creditor is required either to file an acknowledgment of satisfaction of the judgment with the court or deliver it to the judgment debtor.

This bill would require him to do both and would provide that delivery shall consist of either personal delivery or delivery by first class mail, postage prepaid, either to the judgment debtor or his attorney.

Ch. 284 (AB 2692) Thurman. Probation: reports

Under existing law, the State Director of the Department of Corrections is required to provide to the court a written report comprising a diagnosis and recommendation for any defendant convicted of an offense punishable by imprisonment in the state prison.

if the court concludes the disposition of the case requires diagnosis and treatment of a diagnostic facility of the department. Copies of this report are also delivered to the defendant or his counsel, the probation officer and the prosecuting attorney. The information in the report may not be discussed with anyone else without the defendant's consent. After disposition of the case, the copies given to the probation officer and the prosecuting attorney are filed in a sealed file.

This bill would permit the probation officer to retain a copy of the report if the defendant is placed on probation by the court, provided the information therein remains confidential

Ch 285 (AB 2292) Goggin Air pollution: plans, programs, rules, and regulations.

(1) Under existing law, an air pollution control district (hereafter referred to as district), prior to adopting, amending, or repealing any rule or regulation, is required to give a 30-days notice of the public hearing thereon to the State Air Resources Board and by specified publication.

The bill would require that a copy of the rule or regulation proposed to be adopted, amended, or repealed, as the case may be, be included with the notice sent to the board.

(2) Under existing law, each basinwide air pollution control district, and each basinwide air pollution control council, is required to adopt a basinwide air pollution control plan and submit the plan to the board.

The bill would require the basinwide district or council, as the case may be, to adopt such a basinwide plan within 60 days after it commences operation and to submit the plan to the board within 10 days after its adoption.

(3) Under existing law, the basinwide plan is required to be reviewed at least once every 2 years by the basinwide district or council. The plan is also required to be reviewed by the basinwide district or basinwide council upon the request of any district which is within the air basin or upon request of the board. If the basinwide plan is revised, the revised basinwide plan is required to be submitted to the board.

The bill would require the basinwide district or basinwide council to review the basinwide plan within 60 days after receipt of a request to review the plan from any district within the air basin or from the board. The revised basinwide plan would have to be submitted to the board within 10 days after its adoption.

(4) Under existing law, each county air pollution control district or unified air pollution control district included in an air basin is required to submit to the board a program to implement the basinwide plan of the air basin in which the district is located. The program is required to be revised, if necessary, whenever the basinwide plan is reviewed or upon request of the board.

The bill would require each district within the air basin to adopt or revise such a program within 60 days after adoption or revision of the basinwide plan by the basinwide council or basinwide district, and to submit the adopted or revised program to the board within 10 days after the adoption of the program or revised program. The bill would delete the requirement that the program be revised, if necessary, whenever the basinwide plan is reviewed.

(5) The bill would make no appropriation nor create any obligation for the reimbursement of any local agency for any costs incurred by it pursuant to this bill for a specified reason.

Ch. 286 (AB 2691) Thurman. Jails time credit

Existing law makes specified provisions for the performance of work by prisoners and authorizes the deduction of one day's time as credit for work and another day for good behavior for each one-fifth month of confinement in a county or city jail, industrial farm or road camp. These provisions are applicable to prisoners committed or confined for specified reasons.

This bill would make such provisions applicable to any prisoner who is confined to a county jail or city jail for a definite period of time for contempt.

Ch. 287 (AB 2693) Thurman Probation

Existing law provides for the modification or termination of the probation of persons convicted of crimes, and provides that a certain required notice relating thereto may be given to the probationer upon his first court appearance, without regard to legal

representation, but does not expressly provide for the waiver of court appearances upon the written agreement of the probationer to specified modification or termination of his terms of probation.

This bill would provide for such waiver and modification or termination and requires prior notification of right to counsel, including court appointed counsel. The bill would specify that if probationer waives counsel such waiver would be evidenced in writing. If probationer agrees to waiver of court appearance and modification or termination, such agreement would be signed by counsel.

The bill would also require notice of any motion or petition for such modification or termination be given to the district attorney in all cases.

Ch. 288 (AB 2989) Keene. Redwoods Community College District

Under existing law, generally community college districts are limited to having governing boards of not to exceed 7 members, with Peralta Community College District being authorized to have not to exceed 15 members.

This bill would permit the governing board of Redwoods Community College District to consist of not to exceed 9 members provided certain territories are annexed to the district and coterminous trustee areas of the district are established with such territories.

Ch. 289 (AB 2205) Kapiloff Estates; inventory and appraisalment.

Under existing law, an executor or administrator is required to file with the clerk of the court an inventory and appraisalment of the estate of a decedent together with a copy thereof, which copy must be transmitted by such clerk to the county assessor. Similar requirements are made with respect to guardians and conservators with regard to estates of their wards or conservatees.

This bill would delete the requirement that a copy of the inventory and appraisalment must be filed and that a copy must be transmitted by the clerk to the county assessor. Instead, it would require that, upon timely request of the county assessor, the clerk shall make and transmit a copy of the inventory and appraisalment to such assessor.

The bill would provide that there shall be no reimbursement nor appropriation made by this bill for a specified reason.

Ch. 290 (AB 2838) Rosenthal. Unrestricted donations.

Under current law, fees paid by public or private sources on behalf of persons receiving services funded under the Short-Doyle Act are deducted from the cost of providing services. Under the aid programs, certain public and private donations to aid recipients and vendor payments to meet the needs of recipients under the state supplemental payments for aged, blind and disabled program are exempted for the purpose of determining eligibility and the aid grant.

This bill would provide that general unrestricted or undesignated private charitable donations and contributions made to charitable or nonprofit organizations shall not be deducted from the cost of providing Short-Doyle services or the costs allocated to the Medi-Cal costs under the Short-Doyle program. The bill also would provide that such contributions are not to be deducted from the cost of providing services under the public social service programs or community mental health services.

Ch. 291 (AB 2573) Chappie. Public utility districts.

Existing law authorizes public utility districts to acquire, construct, own, operate, control, or use works for supplying their inhabitants with light, water, power, heat, transportation, telephone service, or other means of communication, or means for waste disposition, and to do all things necessary or convenient to the full exercise of powers granted.

Under existing law, if the cost of any proposed work exceeds \$3,000, the district board is required to adopt plans and specifications, strain sheets, and working details. The board is then required to advertise for bids for such work in accordance with such plans and specifications.

This bill would delete this requirement and provide, instead, that all complete new construction contracts exceeding \$5,000 shall be let to the lowest responsible bidder. The bill would require bidding for alterations, maintenance, and repair projects where costs exceed \$3,000, including adoption of plans and specifications, strain sheets, and working

details The bill would further require publication of bid invitations

Under existing law, the board of a public utility district is required to advertise for sealed bids for purchase of articles for which no contract has been entered into where the cost exceeds \$2,000 This bill would increase the amount to \$4,000.

Ch. 292 (AB 3315) Rosenthal. Adoption services.

Under existing law, the State Department of Health performs various functions in connection with adoptions, including licensing of private adoption agencies participating in court proceedings in adoptions, reimbursement of a portion of the cost of county adoption services, programs of aid in adoption placement for "hard-to-place" children, state adoption services in counties not having a licensed county adoption agency, and programs for intercounty adoptions The Budget Act of 1975 appropriated \$12,758,750 to the State Department of Health for the costs of adoption programs and functions

This bill would appropriate \$880,000 to the department in augmentation of the Budget Act of 1975 for the purpose of funding the adoption programs and functions of the department.

This bill would go into immediate effect as an act making an appropriation for the usual current expenses of the state

Ch. 293 (AB 3005) Siegler Food labeling, dietary use.

Under the Sherman Food, Drug, and Cosmetic Law, the label of a food for special dietary use, by reason of its use as a means of regulating the intake of protein, fat, carbohydrate, or calories for the purposes of controlling body weight or dietary management with respect to disease, [must] * bear a statement of the percentage by weight per specified serving of protein, fat, carbohydrates and the number of calories in the food

This bill would delete the requirement that the percentage by weight be expressed in terms of specified serving. The bill would also exempt foods labeled in accordance with specified federal regulations from the Sherman Food, Drug, and Cosmetic Law special dietary use labeling requirements

Ch. 294 (AB 3537) Deddeh Schools. merit systems; compensation for members of personnel commission.

Under existing law, generally, any school district governing board may authorize payment to members of the personnel commission of a merit system not to exceed \$15 per meeting and \$75 per month.

This bill would provide, instead, not to exceed \$25 per meeting and \$100 per month.

Ch. 295 (AB 3349) Siegler. Elementary school districts; governing board members

Under existing law, whenever the average daily attendance of any elementary school district during the preceding fiscal year became 300 or more, the governing board of the district is required to, by its own motion, increase the number of the board to five or have submitted to the voters of the district the question of whether the board shall be increased to five

This bill would, in addition, authorize any elementary school district having a governing board of three members to, by its own motion, increase the number of the board to five or have submitted to the voters of the district the question of whether the board shall be increased to five, irrespective of whether the district's average daily attendance has reached 300

Ch. 296 (AB 4471) Briggs Contracts with private patrols

Existing law, which would remain in effect only until July 1, 1976, authorizes the governing board of any school district with an a.d.a. of not less than 6,000 nor more than 8,000, which has not established a security patrol, to contract with licensed private patrol operators to aid in the security of the school district's real and personal property. Existing law limits a school district's expenditures for such service to \$4,000 in any 1 year

This bill would (1) extend to July 1, 1978, the termination date of such statutory authority, (2) extend existing authority to districts having an a.d.a. of from 5,000 to 7,000, and (3) increase the limitation on annual expenditures to \$4,500

The bill would take effect immediately as an urgency statute

Ch 297 (SB 1318) Zenovich Lupus erythematosus. appropriation

There is no existing law which authorizes the State Department of Health to contract with a facility having research experience for carrying out a program with respect to lupus erythematosus.

This bill would appropriate \$400,000 to the State Department of Health for contracting with a facility having research experience for a program of research on lupus erythematosus and authorize such contracts. The bill would require specified approval of such contracts.

The bill would take effect immediately as an urgency statute

Ch 298 (SB 1553) Song. Offensive words.

Existing law prohibits the use in certain places of offensive words inherently likely to produce a violent reaction.

This bill would make such provisions instead apply to such words which are "inherently likely to provoke an immediate violent reaction."

Ch. 299 (SB 1691) Rains. Youth Authority: diagnostic commitments.

Present law authorizes the Director of the Youth Authority to enter into contracts with counties, wherein the Youth Authority agrees to furnish diagnosis and treatment services and temporary detention for selected persons eligible for commitment to the Youth Authority in connection with the juvenile court, with county reimbursement of the state

This bill would expand such authority to persons eligible for such commitment, rather than those eligible for such commitment in connection with the juvenile court. This bill would also authorize a court in a county with such a contract, to order the temporary commitment to a Youth Authority diagnostic and treatment center for diagnosis and observation of a person eligible for commitment to the Youth Authority, as specified, and would require the Youth Authority to accept such person if it believes such person can be materially benefited by such diagnostic and treatment services and if staff and institutions are available

Ch. 300 (SB 1928) Ayala. Public Employees' Retirement System. contracting agencies

Existing Public Employees' Retirement Law authorizes public agencies to enter into contracts for coverage of their employees under the retirement system.

This bill would define "public agency" as also including a nonprofit corporation which conducts a citrus fruit fair.

Ch. 301 (AB 2868) Gualco. Apprenticeship.

The existing law prohibits a school district from maintaining classes for adults if the district, among other things, receives compensation for such class from any public or private agency, individual, or group of individuals, with specified exceptions

This bill would also except classes for apprentices from this prohibition.

The existing law provides that the state official who is in charge of trade and industrial education under authority of the State Board of Education, among others, shall be a member of the California Apprenticeship Council.

This bill would instead provide that the Superintendent of Public Instruction, or his permanent and best qualified designee, among others, shall be a member of the California Apprenticeship Council.

The existing law permits the Bureau of Industrial Education of the Department of Education and the Board of Governors of the California Community Colleges to advance or reimburse a local school district its added cost of providing related instruction classes to apprentices whenever the enrollment of any such class is at least five but not more than 15.

This bill would repeal such provision.

The existing law requires every apprenticeship agreement to contain, among other things, a statement showing the number of hours to be spent by the apprentice in work and the number of hours to be spent in related and supplemental instruction of not less than 144 hours per year, with specified exceptions.

This bill would instead require every apprenticeship agreement to contain, among

other things, a statement showing the number of hours to be spent by the apprentice in work and the learning objectives to be accomplished through related and supplemental education, with a minimum of 144 hours being recommended.

Ch 302 (AB 3338) Egeland. Insurance: disability insurance.

Existing law provides that no policy of disability insurance which provides maternity benefits for a person covered continuously from conception shall be issued, amended, delivered, or renewed on or after July 1, 1976, if it contains any exclusion, reduction, or other limitations as to coverage deductibles, or coinsurance provisions as to involuntary complications of pregnancy with specified inclusions. Certain requirements are also imposed on such policies which specify fixed amounts for surgical procedures involving involuntary complications of pregnancy, or which provide for a fixed amount payable for maternity benefits.

This bill would limit the scope of such provisions to group or blanket disability insurance policies.

The bill would take effect immediately as an urgency statute

Ch. 303 (AB 3962) Dixon. Inmate education.

Existing law permits the Director of Corrections to enter into agreements with the governing board of a school district or private school or the governing boards of school districts to maintain classes for inmates. That authority was extended to permit the warden or superintendent of any state institution or facility under the jurisdiction of department, with the approval of the director, to contract with a community college district for educational services, courses, or programs for inmates. The authority for such contracts with community colleges expires June 30, 1976.

This bill would delete the authority for such contracts and would become operative July 1, 1976.

This bill would take effect immediately as an urgency statute.

Ch 304 (SB 1805) Zenovich. School buildings Field Act exemption: Ratcliffe Stadium

(1) Under existing law, school buildings constructed prior to 1933 generally are required to meet the so-called "Field Act" standards of earthquake safety.

The fieldhouse at Ratcliffe Stadium owned by the State Center Community College District is statutorily exempt from Field Act requirements until July 1, 1976.

This bill would extend such exemption until July 1, 1977.

(2) Under current law, a school building located on a geological fault may be replaced in a specified manner at another site as though such a school building had not been constructed in accordance with the "Field Act." This provision is repealed as of July 1, 1976.

This bill would extend the operation of such provision until July 1, 1977.

(3) The bill would go into immediate effect as an urgency statute

Ch. 305 (AB 962) Chappie. Resource conservation district elections: ballot expenses.

Existing statutory law provides for the payment by the county of any and all costs attributable to the conduct of resource conservation district elections, with reimbursement being made by the district through a special assessment levied and collected in the following year pursuant to specified provisions of law relating to regular assessments.

Other provisions of law permit any local agency to bill any candidate for the actual prorated costs of printing, handling, and translating his statement of qualifications contained in the voter's pamphlet accompanying the sample ballot.

This bill would require the county to bill a resource conservation district election candidate for the actual prorated costs of printing, handling, and translating his statement of qualifications contained in the voter's pamphlet accompanying a sample ballot.

This bill would also provide that there shall be no reimbursement pursuant to Section 2231 of the Revenue and Taxation Code nor any appropriation made by the bill for a specified reason.

Ch 306 (AB 1837) Ingalls Municipal court personnel

Existing law specifies the number and compensation of municipal court personnel in Riverside County.

This bill would increase the number and compensation of such personnel and make related changes.

The bill would further provide that no appropriation or reimbursement of local agencies is made for costs incurred by them pursuant to this bill for a specified reason

This bill would take effect immediately as an urgency statute

Ch. 307 (AB 1928) Papan. Supervisorial elections

Present law provides that candidates for the office of member of the board of supervisors must be placed on the primary election ballot

The bill would provide that whenever only two candidates for any single seat on the board of supervisors are seeking election, those candidates shall not be placed on the primary ballot, but instead shall be placed only on the November general election ballot

Ch 308 (AB 2563) Chapoe Examination of judgment debtors.

Existing law establishes a procedure for the examination of judgment debtors upon a court order which requires their personal appearance.

This bill would authorize in addition to or in conjunction with that procedure the use of written interrogatories propounded to a judgment debtor who is represented by counsel by the judgment creditor. The frequency of use of such interrogatories would be limited to once in any four-month period and would not be permitted within four months of an examination of the judgment debtor on court order, as specified

Ch 309 (AB 2597) Egeland Schools teachers, discriminatory pay practices

Existing law requires each elementary, high, and unified school district to provide equal salaries as specified to all certificated employees for work performed beyond the instructional day, as defined

This bill would remove the definition of "work beyond the instructional day" and would provide instead that if compensation is provided to certificated employees of any such district for a work assignment which is not part of the contracted instructional day duties, like compensation shall be paid to all employees of the district who perform like work with comparable responsibilities.

This bill would also provide that nothing shall be construed as requiring a district to compensate certificated employees for work assignments which are not part of the contracted instructional day duties simply because other employees of the district receive compensation for work assignments which are not the same

This bill would take effect immediately as an urgency statute

Ch. 310 (AB 3500) Craven Municipal Improvement Act of 1913 curative provisions

(1) Existing law provides that any bond act, and the curative clauses thereof, referred to in the provisions of the Municipal Improvement Act of 1913 relating to improvement bonds shall apply to the issuance of bonds under such bond act when issued by the legislative body of a municipality acting pursuant to the Municipal Improvement Act of 1913

This bill would add to the Municipal Improvement Act of 1913 various curative clauses relating to irregularities and omissions of municipal officers, the giving of notice of proceedings, and the correction of errors by a legislative body, thereby making any proceeding under such act (not just the issuance of bonds) subject to such curative clauses

(2) Existing law does not specify the consequences of failing to make a timely protest under the Municipal Improvement Act of 1913

This bill would provide that the failure to make a written or oral protest under the Municipal Improvement Act of 1913 within the time and manner provided by law shall constitute voluntary waiver and consent to any act or proceeding to which the protest could have been made

(3) This bill would take effect immediately as an urgency statute.

Ch. 311 (AB 3527) Craven. Schools' data-processing equipment' sale and lease-back

Under current law, various local educational agencies may buy, sell, or lease data-processing equipment

This bill would permit the sale and leaseback of such equipment if the governing board or county board of education finds that sale and leaseback is the most economical means of funding electronic data-processing equipment.

This bill would take effect immediately as an urgency statute.

Ch 312 (AB 4083) Alatorre Contracts: Spanish language translation

Existing law requires any contract or agreement, which is entered into after July 1, 1976, by a person engaged in a trade or business, who uses the Spanish language orally or in writing in the course of entering into certain enumerated contracts or agreements, to give notice of and to furnish upon the request of any party to such contracts or agreements prior to the execution thereof, an unexecuted Spanish-language translation of the contract or agreement, and permits the form of the notice and the translation or contract to be approved by the Department of Consumer Affairs.

This bill would delete the reference to the forms approved by the department and would authorize the department to verify rather than approve the Spanish-language translation for certain notices, contracts and agreements. If a translation is submitted by a person in a trade or business the department would be required to verify the translation

This bill would provide that existing law shall be applicable to contracts or agreements involving banks entered into on or after January 1, 1977.

This bill would take effect immediately as an urgency statute.

Ch 313 (AB 4449) Craven District reorganization. terms.

Existing law provides that any change of organization or reorganization may provide for or be made subject to certain specified terms and conditions.

This bill would revise and make additions to those terms and conditions.

Existing law does not provide that if the boundaries of a water district, authorized to exercise specified powers, are altered pursuant to law, such powers may continue to be exercised only within that portion of the district originally authorized to exercise such powers, when provided by terms and conditions specified in a change of organization or reorganization

This bill would add such a provision

The bill would take effect immediately as an urgency statute.

Ch. 314 (SB 1097) Grunsky Public records.

Existing law, under the Public Records Act, requires that records of public agencies throughout the state be open to inspection by the public, with specified exceptions. One such exception is records of complaints to, or investigations conducted by, the Attorney General, Department of Justice, and any state or local police agency, or investigatory or security files compiled by any other state or local agency for correctional or law enforcement purposes

This bill would revise this exception to the Public Records Act by requiring the disclosure of the following information by the local law enforcement agency to which the incident was reported, to the persons involved in an incident or an authorized representative thereof, an insurance carrier against which a claim has been made or might be made, and to any person suffering bodily injury or property damage as a result of the incident caused by arson, burglary, fire, explosion, robbery, vandalism, or a crime of violence, as defined: the names and addresses of persons involved in, or witnesses to, the incident, the description of the property involved, the date, time, and location of the incident, all diagrams, statements of all parties involved in the incident and statements of all witnesses other than confidential informants. Such requirement would not apply where the disclosure would endanger the safety of a witness or other person involved in the investigation [or] * disclosure would endanger the successful completion of the investigation or a related investigation

The Public Records Act also requires that its provisions not be deemed in any manner to affect the status of judicial records, nor to affect the rights of litigants, including parties

to administrative proceedings, under state laws relating to discovery.

The bill would further specifically require that no provisions of the Public Records Act limit or impair any rights of discovery in a criminal case.

The bill would provide that no appropriation is made, nor obligation created for the reimbursement of any local agency for any costs that may be incurred by it in carrying on any program or performing any services required to be carried on or performed by this bill.

Ch 315 (SB 1502) Gregorio Schools: certificate of proficiency

Existing law permits persons 16 and 17 years of age to take an examination for issuance of a certificate of proficiency and exemption from compulsory education.

This bill would.

(a) Make such examinations available to persons 16 years of age or older, or to any other person who has been enrolled in the 10th grade for one year or more, or who will complete one year in the 10th grade during the semester in which the next examination will be given.

(b) Require one regular examination to be given in each of the fall and spring semesters.

(c) Permit examinations, other than regular examinations, to be given once during the summer recess, and at other times for specified reasons.

(d) Impose reenrollment limitations on students who have terminated their school enrollment on the basis of having been awarded a certificate of proficiency

The bill would become effective immediately as an urgency statute.

Ch 316 (SB 1503) Stevens. Legislature, journals.

Existing law requires that one copy of the daily journal of each house of the Legislature be authenticated by both the presiding officer and Chief Clerk of the Assembly or Secretary of the Senate.

This bill would delete the requirement for authentication by the presiding officer

Ch. 317 (SB 1610) Presley. Execution of judgment

Present law provides an exemption from execution for a debtor's earnings received for personal services if necessary for the use of the debtor's family residing in this state and supported in whole or in part by the debtor under designated circumstances

This bill would additionally specify that such exemption applies if necessary for use of the debtor, as well as the debtor's family

Ch. 318 (SB 1945) Grunsky Municipal courts Monterey County.

Existing law provides that when specified classifications of Monterey County employees receive adjustments in salaries, the salaries of municipal court personnel in the county shall be adjusted an equivalent amount until January 1, 1978, but any such adjustment may not exceed an amount equivalent to 4 range numbers on the salary schedule applicable to such personnel

This bill would provide that any such adjustment may not exceed an amount equivalent to 8 range numbers on the salary schedule.

The bill would take effect immediately as an urgency statute.

Ch. 319 (SB 2145) Marks Residential rehabilitation: housing for the elderly.

The Marks-Foran Residential Rehabilitation Act of 1973 authorizes counties, cities, cities and counties, redevelopment agencies, and housing authorities to make loans for defined residential rehabilitation and to issue revenue bonds for such purpose. As a precondition to the issuance of revenue bonds or bond anticipation notes for such purpose, the city, county, city and county, redevelopment agency, or housing authority is required to adopt a comprehensive residential rehabilitation financing program, including criteria for the selection of residential rehabilitation areas.

This bill would require such a local agency, in developing criteria for selection of residential rehabilitation areas, to consider at a public hearing criteria which would give priority to the rehabilitation of senior citizen housing.

Ch. 320 (SB 1410) Beilenson. Budget Act of 1976.

Makes appropriations for support of state government for the 1976-77 fiscal year.
To take effect immediately, urgency statute

Ch. 321 (SB 809) Zenovich. Special education: autistic pupils.

Under existing law, the governing board of any elementary or unified school district with an average daily attendance of 8,000 or more in the elementary schools of the district or any high school district which has an average daily attendance of 8,000 or more, is required to provide, in special education classes or programs, for the education of autistic pupils who are not in attendance in other special education classes or programs. The county superintendent of schools is required to provide such classes or programs in elementary or unified school districts which have an average daily attendance of less than 8,001 in the elementary schools or in high school districts having an average daily attendance of less than 8,001.

This bill would (1) specify that such programs shall be provided all eligible pupils between the ages of 6 and 21, and authorize such provision to eligible pupils between the ages of three and six; (2) specify that the county superintendent of schools must provide such programs in a unified school district with an average daily attendance of less than 8,001; and (3) authorize a county superintendent, with the approval of the Superintendent of Public Instruction, to enter into an agreement with an elementary, unified, or high school district for the latter to provide for the education of autistic pupils.

Additionally, it would provide that any regional occupational program or center providing approved classes for severely handicapped students may be supervised by a person holding a valid special education credential authorizing the person to teach such students.

It also would increase amounts appropriated to the State School Fund and allowable for expenditure for the educationally handicapped by \$0.68 per pupil in average daily attendance for fiscal year 1976-77 and years thereafter.

This bill would also include changes proposed by the Budget Act of 1976 if this bill is chaptered after the Budget Act.

Further, it would increase the amounts that the Superintendent of Public Instruction is required to allow each school district or county superintendent of schools for the education of autistic pupils, and require the Superintendent of Public Instruction to allow, for the costs of transportation of all autistic pupils \$389 for each unit of average daily attendance of such pupils, rather than only for autistic pupils residing in institutions. It would allow the latter allowances to be paid retroactively.

Finally, it would take effect immediately as an urgency statute.

Ch. 322 (SB 2204) Mills. Continuation of state government.

The existing law contains no express provision with respect to the effect on the continuity of employment and salary of state officers and employees in the event that a Budget Bill for the 1976-77 fiscal year is not enacted before July 1, 1976.

This bill would expressly provide that on or after June 30, 1976, no state officer or employee shall be deemed to have a break in service or to have terminated his employment for any purpose, solely because of the failure to enact a Budget Bill for the 1976-77 fiscal year prior to the end of the preceding fiscal year.

In addition, this bill would expressly provide that any officer or employee who entered state service between June 30, 1976, and the effective date of the Budget Bill for the 1976-77 fiscal year shall be considered a state officer or employee from the time he entered state service until that date, notwithstanding the failure to enact a Budget Bill for the 1976-77 fiscal year prior to his entry into service.

This bill would also expressly provide that funds from each appropriation made in the Budget Act of 1976 may be expended to pay such salary adjustments as are authorized by salary-fixing authorities to provide an increase in the compensation for officers and employees during the month of July 1976 to provide compensation equivalent to that which they would have otherwise received had the Budget Act of 1976 been adopted prior to July 1, 1976.

This bill would also expressly provide that funds from each appropriation made in the Budget Act of 1976 may be expended to pay any obligation incurred between the commencement of the 1976-77 fiscal year and the effective date of the act, which would

otherwise have been authorized by the act had it been adopted prior to July 1, 1976, subject to the same limitations, conditions, and requirements.

This bill would take effect immediately as an urgency statute.

Ch. 323 (SB 1641) Rodda. Schools: community colleges: finance: foundation programs. adult education.

(1) Current law provides for an increase in the foundation programs in elementary and high schools by \$66 in the 1976-77 fiscal year, and provides for a proportionate reduction of that amount to \$56 if the percentage increase in the statewide ratio of assessed valuation per unit of average daily attendance is less than 7.

This bill would provide for a foundation program increase of \$103 at the elementary level, and \$104 at the high school level, and would specify a formula for computing increases or decreases in subsequent fiscal years.

(2) Existing law authorizes certain increases in revenue limits to be effected by vote of the electors in certain school districts maintaining elementary schools and high schools.

This bill would authorize, commencing with the 1977-78 fiscal year, the revenue limit of an elementary, high school, or unified school district to be increased by a majority vote of the electorate of the district, if the district has a current revenue limit at or above 150% of the appropriate foundation program amount of the district.

This bill would prescribe a procedure whereby the Superintendent of Public Instruction would determine the tax rates to be utilized to provide the newly established revenue limits, and would require county superintendents of schools, county boards of supervisors, and county auditors to take various actions with respect to school districts authorized to so increase their revenue limits.

This bill would establish the State Fund for the Equalization of School Taxes in the State Treasury, administered by the State Controller, in which would be deposited any excess taxes collected by the increase in the revenue limit authorized by this bill. Funds therein collected would be allocated to make up deficiencies of total taxes collected when compared to the taxes to be allowed. Any balances in the fund after deficiencies are paid would be transferred to Section A of the State School Fund.

(3) Existing law grants the homeowners' property tax exemption in the amount of \$7,000 of the full value of qualified dwellings and continuously appropriates state funds for subventions to local government to compensate for property tax revenues lost by reason of such exemption.

This bill would increase the amount of such appropriation by authorizing an increased rate of property tax.

(4) Existing law provides a program for educational services for individuals with exceptional needs.

This bill would appropriate \$11,388,250 from the General Fund to Section A of the State School Fund for purposes of such programs, in augmentation of an appropriation made for that purpose by the Budget Act of 1976.

(5) Under current law, the total tuition required and the apportionments from the State School Fund for all attendance in classes for adults may not exceed the estimated costs of all such classes maintained.

This bill would specify instead that the total of the tuition required and revenues derived from average daily attendance shall not exceed the estimated cost.

(6) Current law defines "adult" for purposes of making apportionments from the State School Fund.

This bill would specify that the attendance of adults in community college programs shall be computed in the same manner as other attendance, and that the attendance of adults in school districts shall be reported separately from that of other students, and that the adult foundation program shall be used in computing apportionments.

(7) Current law does not place any restriction upon the use of funds derived from the State School Fund for adult average daily attendance.

This bill would specify that no revenue derived from adult average daily attendance may be expended for other than adult education purposes. Nor shall revenue derived from other average daily attendance be expended for adult education purposes.

(8) Current law specifies certain standards to be met in classes for handicapped adults.

This bill would also require such classes to conform to standards of attendance, curriculum, and administration established by the Department of Education.

(9) Current law specifies that classes maintained by the county superintendent of schools in county jails, industrial farms, or road camps shall receive an apportionment from the State School Fund based upon the foundation programs for high school districts

This bill would specify that instead such apportionments shall be based upon the adult foundation program of a high school district under a specified provision.

(10) Current law specifies that no class for adults shall be maintained if such class is not open to the general public.

This bill would specify that no such classes shall be maintained if they are not located in facilities clearly identified in such a manner, and established by appropriate procedures, to insure that attendance in such classes is open to the general public. This bill would also permit community college districts to establish special classes for handicapped adults

(11) Current law specifies a method of computing the tax which may be levied in a county for the support of a regional occupational center or regional occupational program.

This bill would specify a modified method of making such computation based upon a revenue limit for each such center or program

(12) Current law provides for an audit of various school programs

This bill would specify that each regional occupational center or program shall provide for the audit of its funds as prescribed by a specified code section, and shall also provide financial data to the Department of Education

(13) Current law specifies a method of computing the revenue limit on school districts and community college districts.

This bill would provide a separate computation for the determination of revenue limits for adult education in school districts and would delete the provisions relating to the determination of community college district revenue limits and would provide instead for the computation of maximum tax rates for community college districts, such computation being based upon changes in the district population and changes in the cost of living.

Under current law, the voters of a community college district may approve a change in the revenue limit of the district.

This bill would similarly permit the voters to approve a change in the maximum tax rate of the district

(14) Existing law prescribes a comprehensive system for the computation of allowances and apportionments to community college districts based upon the difference between a specified foundation program and the proceeds of a specified computational tax rate.

This bill would provide instead for the elimination of the foundation program system and the substitution of a system utilizing the support received in the 1975-76 fiscal year as a base

In addition, this bill would specify a formula for computing state aid for units of average daily attendance in excess of that accruing to the district in the 1975-76 fiscal year. Such formula would be based upon an adjusted average apportionment per unit of average daily attendance

This bill would also specify a method of computing minimum and maximum apportionments

This bill would also specify a formula for computing allowances for small community college districts and would specify a maximum amount to be apportioned to such districts in the 1976-77 fiscal year

(15) Under existing law, the Controller is required to transfer certain amounts from the General Fund to Section B of the State School Fund for making allowances and apportionments to community college districts

This bill would require the transfer of additional funds in an amount sufficient to make the allowances and apportionments required by this bill

(16) Under existing law, the Controller is required to transfer certain amounts from the General Fund to Sections A and B of the State School Fund for making allowances and apportionments to school districts, community college districts, and county

superintendents of schools. Existing law also provides for the expenditures of such funds according to a specified schedule.

This bill would prescribe a different amount to be so transferred, and would provide for the expenditure of such amount, for the 1975-76 fiscal year only, in lieu of the amounts otherwise prescribed by law.

(17) This bill would also make numerous changes in the law relating to adult education.

(18) This bill would specify that it does not create any obligation for the reimbursement of local agencies under Section 2231 of the Revenue and Taxation Code for specified reasons.

(19) This bill would appropriate \$4,000,000 to the Superintendent of Public Instruction to make special allowances to basic aid districts for certain units of average daily attendance in regional occupational centers and programs.

(20) This bill would appropriate \$4,000,000 from the General Fund to Section B of the State School Fund to make apportionments pursuant to a demographic factor formula; and would require the Chancellor of the California Community Colleges to disregard the demographic factor formula if no funds are specifically appropriated therefor.

(21) This bill would appropriate specified amounts for the administration of various programs specified by the bill.

(22) Under current law, school districts and community college districts are required to make certain contributions to the Teachers' Retirement Fund.

This bill would provide for specified amounts of state aid related to such contributions.

(23) Existing law prescribes a program for educationally disadvantaged youth and provides funding therefor.

This bill would revise the formulas used in determining a district's eligibility for such funding and would declare that no district shall, by reason of such revisions, receive less than its entitlement for the 1976-77 fiscal year. The bill would appropriate an additional \$20,000,000 for such programs for the 1977-78 fiscal year.

(24) Effective July 1, 1972, retirement allowances were increased for members of the State Teachers' Retirement System who retired on or after that date.

This bill would increase the first \$300 of the monthly retirement allowances of retirants, disabilitants, and their beneficiaries who retired prior to July 1, 1974, by prescribed amounts if the member had 20 years credited service.

(25) This bill would take effect immediately as an urgency statute.

Ch 324 (AB 250) Lewis South Coast Air Quality Management District

Under existing law, a unified air pollution control district, the Southern California Air Pollution Control District, was created in Los Angeles, Orange, Riverside, and San Bernardino Counties. These counties, or portions thereof, are included within the South Coast Air Basin.

This bill would enact the Lewis Air Quality Management Act to create the South Coast Air Quality Management District in those portions of the 4 counties included within that air basin, with specified powers and duties. Ventura County, and that portion of Santa Barbara County included within the air basin, could be included within the district upon the approval by the district board of a request by the appropriate board of supervisors. The district would commence operation on February 1, 1977.

The district would assume the authority, functions, and responsibilities of the Southern California Air Pollution Control District for the area included within the district on that date. However, the board of supervisors of each county included within the district could be authorized by the district board to appoint a hearing board for the granting of variances in the county under the rules and regulations of the district. A board of supervisors of a county partly included within the district could contract with the district to, and the district could, perform air pollution control functions in that area of the county not included within the district.

A district air quality management plan would be required to be adopted by the district by January 31, 1979, and approved by the State Air Resources Board by June 1, 1979, and would take effect on that date. The plan would include, among other things, deadlines for compliance with the state ambient air quality standards at the earliest achievable date.

In creating the district staff, the district would be required to employ the existing staff

of the Southern California Air Pollution Control District.

The district would be required to fix, for its employees, compensation equal to that of Los Angeles County employees rendering the same quality of service or holding positions of equal responsibilities and duties for the 1977-78 fiscal year and, thereafter, equal to the prevailing compensation of private persons in case the prevailing compensation can be determined.

The district would be required to apportion, on the basis of population, the amount that each county included within the district would be required to pay to finance the operation of the district after adoption of the budget for a fiscal year.

The bill would make no appropriation nor create any obligation for the reimbursement of any local agency for any costs incurred by it pursuant to this bill for a specified reason.

Ch. 325 (SB 2184) Collier. Justice courts: elections.

Existing law specifies various procedures for the election of the first judge or judges, and constables of a newly established justice or municipal court. Such procedures require that judges or constables of a superseded existing municipal or justice court shall, if eligible, become the judges or constables of the new municipal or justice court for a specified period until the election or appointment and qualification of their successors. In such a subsequent election, only eligible judges or constables of courts to be superseded may appear on the ballot and be elected.

This bill would require that, notwithstanding these provisions, where a judicial district is created in Lassen County by consolidation, annexation, or other action, and the end of the superseded justice court judge's or constable's term run concurrently with the consolidation, annexation, or other action, the Board of Supervisors of Lassen County shall call a special election to be held prior to the actual occurrence of the vacancy, and any otherwise qualified person may be a candidate for the new justice court judgeship or constable position.

The bill would further provide that no appropriation or reimbursement of local agencies is made for costs incurred by them pursuant to this bill for a specified reason.

The bill would take effect immediately as an urgency statute.

Ch. 326 (SB 1865) Deukmejian. Local agencies: rewards for apprehension of violators

Under existing law, a local agency may offer and pay a reward in an amount determined by the agency for information leading to the identification and apprehension of any person causing injury or death to certain public employees, volunteers, or students, or any person willfully damaging or destroying public property.

This bill would expand these provisions to permit a local agency to offer and pay a reward for the identification and apprehension of any person whose willful misconduct results in injury or death to any person or who willfully damages or destroys any property.

Ch. 327 (AB 2224) Vincent Thomas. Commercial fishing: abalones.

Under existing law, for purposes of commercial abalone fishing there are statutory provisions which:

(1) Specify that pink abalones, red abalones, black abalones, and green abalones may not be taken during the months of February and August.

(2) Require that commercial abalone fishing must be done pursuant to a permit, without specifically providing for different kinds of such permits, to be issued by the Department of Fish and Game.

(3) Authorize the Fish and Game Commission to adopt regulations governing the issuance of such permits and pursuant to such authorization, the commission has adopted regulations which (a) provide for a permit for persons who engage in abalone diving and a separate permit for persons who are not allowed to dive but are crewmembers who assist such divers and (b) provide for the issuance of divers permits if a person passes a proficiency test or had previously had such a permit

(4) Provide statutorily that until March 1, 1976, the fee for a commercial abalone fishing permit is \$100 and the department has the duty to report annually, as specified, to the Legislature on the use made of such fees, and that after such date the statutory provision for such fee and departments to make such report are removed

This bill would until January 1, 1981:

(1) Provide a statutory prohibition against the commercial taking of any abalone (genus *Haliotis*) during the months of February and August.

(2) Remove the general statutory provision for commercial abalone fishing permits which does not set a fee for such permits and provide statutorily that there are two kinds of permits, abalone diving or crewmember permits, and setting the fees for such permits, respectively, at \$200 and \$100.

(3) Prevent the issuance, effective January 1, 1977, of an abalone permit to any person who did not possess an abalone diving permit during the previous abalone season, and provide for the issuance of designated percentage of abalone diving permits issued in the previous year, to such persons who meet prescribed qualifications

(4) Require the commission to establish, at a designated time, the number of abalone diving permits to be issued by the department, and provide for the method of issuance of such permits to applicants meeting certain designated qualifications.

(5) Provide that any abalone diving permittee who, during the preceding season, did not land at least 10,000 pounds of abalone or make 20 landings for each of which a receipt was received from a person in the business of buying, canning, curing, or preserving fish, or manufacturing meal, oil, flour, protein concentrate, animal food, or fertilizer from fish, and other specified persons shall not be issued a permit the following year, and provide for appeal to the commission by any person affected by such provisions

Existing law does not specify legislative findings as to the necessity of restrictions on the issuance of abalone diving permits.

The bill would also specify that the Legislature finds and declares that the restrictions on the issuance of abalone diving permits are necessary to protect and enhance the abalone resources of California

Ch. 328 (AB 2429) McLennan. State highway property: leasing.

Under existing law, the lessee of a dwelling from the Department of Transportation may, in any year, apply to the department for a credit against future rental payment on the dwelling, or for a refund from the Highway Properties Rental Account in the Transportation Tax Fund if no longer leasing the dwelling, upon submission of evidence to the department that the lessee had paid for that year the taxes on the lessee's possessory interest on the dwelling.

The credit or refund, as the case may be, is deducted from the payments made from the account to the county in which the dwelling is located

This bill would extend the above provisions to real property leased from the department, which (1) is being held for future state highway needs or (2) was originally held for that purpose, which the department has determined is no longer needed therefor, prior to its sale or exchange by the department. The bill would make the credit and refund applicable to all taxes paid on or after January 1, 1975, for possessory interest in such real property leased by the department.

Ch. 329 (AB 2485) Chimbole. Schools: maximum tax rate.

The law currently prescribes a comprehensive method of determining the maximum tax rate of school districts

This bill would increase the maximum tax rate of the Death Valley Unified School District by \$0.47 per \$100 of assessed valuation, for the 1976-77 fiscal year, in order to compensate for a clerical error which resulted in decreased revenue to the district.

Existing law grants the homeowners' property tax exemption in the amount of \$7,000 of the full value of qualified dwellings and continuously appropriates state funds for subventions to local government to compensate for property tax revenues lost by reason of such exemption.

This bill would increase the amount of such appropriation by authorizing an increased rate of property tax

The bill would take effect immediately as an urgency statute

Ch 330 (AB 2530) Alatorre City or county funds: repair of defaced structures.

Existing law does not specifically authorize a city or county to use city or county funds to repair privately owned structures which have been damaged by defacement

This bill would allow a city or county, by ordinance, to use city or county funds to

remove graffiti or other inscribed material from public or privately owned permanent structures with proper consent after a finding that such material is obnoxious. Such removal would be restricted to the graffiti itself and not to the painting or repair of a more extensive area

Ch 331 (AB 2556) Duffy. Osteopathic physicians assistants

Existing law authorizes a physician's assistant certified by the Physician's Assistant Examining Committee of the Board of Medical Quality Assurance to be employed by any physician who is approved by the board

This bill would authorize such a physician's assistant to be employed by osteopathic physicians, under specified conditions, including approval by the Board of Osteopathic Examiners. The bill would establish fees and penalties relating to such provision

The bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill.

Ch. 332 (AB 2971) Carpenter. Workers' compensation and public liability claims: counties

Existing law authorizes a county or a public agency for which the board of supervisors acts as a governing board, which is wholly or partially self-insured under the workers' compensation laws, or wholly or partially self-insured against public liability, to contract under specified terms and conditions for investigative, administrative, and claims adjustment services relating to workers' compensation and public liability claims. The contracting firm is authorized to execute and issue checks only from a trust fund established by the board of supervisors, and the maximum amount which may be deposited in such a trust fund is \$5,000 at any one time.

Existing law alternatively permits the board of supervisors to authorize the county's auditor or auditor-controller to provide any or all of such services in addition to, or in lieu of, such a contract.

This bill would revise the maximum amount which may be deposited in such a trust fund to provide that the maximum be a sum sufficient to provide for the settlement of claims for a 30-day period as determined by the board of supervisors, or \$5,000, whichever is larger.

In addition, this bill would permit the board of supervisors to authorize any county employee to provide any or all of such services in addition to, or in lieu of, such a contract.

The bill would take effect immediately as an urgency statute for a specified reason.

Ch. 333 (AB 2997) Mobley. Districts: revolving funds.

Under existing law only certain special districts have the statutory authority to establish a revolving fund

This bill would authorize the governing body of a special district which uses the county treasury as the depository for its funds and which presently does not have the statutory authority to provide for a revolving fund for the direct payment of small bills to establish such a fund.

Ch 334 (AB 3020) Fenton Vehicles: equipment: flashing warning lights authorized use.

Existing law permits the use of flashing lights on vehicles only as specified.

This bill would permit any vehicle having personnel aerial lift equipment, actually engaged in the construction, removal, maintenance, or inspection of any building, structure, or appurtenances thereto, including the cutting or trimming of trees immediately adjacent thereto, to display flashing amber warning lights to the front, sides, or rear when necessarily parked on a highway or when moving at a speed slower than the normal flow of the traffic

Ch. 335 (AB 3061) Boatwright. Property taxation: imports

(1) In 1872, the Supreme Court of the United States established, in effect, that imports in the original package were exempt from property taxation under the import-export clause of the Federal Constitution. Early in 1976, the original package doctrine was overruled as it applied to property taxes.

This bill would provide that the validity of tax assessment on imported goods for any

assessment year prior to the 1976-77 assessment year shall be determined pursuant to statutory and case law existing prior to the 1976 decision of the Supreme Court of the United States.

(2) Existing law continuously appropriates state money to local agencies to provide replacement revenues on business inventories and other property exempted from property taxation or classified in a manner which results in a lower tax.

This bill would provide that, in the event that the validity of the tax assessment on imports determined according to statutory and case law existing prior to the 1976 decision of the Supreme Court of the United States is found invalid or inapplicable for any reason, no state revenues would be paid as reimbursements on business inventories or other such property.

(3) Existing law provides that local agencies may make claims against the state for reimbursement for actual losses of property tax revenues caused by exemptions or classifications of property enacted by the Legislature after January 1, 1973. However, existing law also provides that an actual loss of revenue does not occur if the exempted or classified property is a type of property which was not assessed or taxed on January 1, 1973.

This bill states that there will be no reimbursement for claims made on imports in the original package exempted from escape assessment for assessment years prior to the 1976-77 assessment year, because such property is a type which was exempt or immune on January 1, 1973.

This bill would take effect immediately as an urgency statute.

Ch. 336 (AB 3737) Hughes. Unemployment compensation: overpayments.

The existing law provides that the provisions relating to overpayments of unemployment compensation benefits do not apply with respect to unemployment compensation disability benefits.

This bill would provide that specified provisions relating to overpayments of unemployment compensation benefits do apply with respect to unemployment compensation disability benefits.

Existing law brought agricultural labor within the scope of the unemployment compensation insurance law effective with regard to wages paid on and after January 1, 1976.

This bill would specify that no new claims based solely on base period wages paid on or after January 1, 1976, for agricultural labor, and not more than \$749 in other wages in the base period, shall be valid if the effective date of the claim is on or prior to the last day on which a claim may be filed for federal special unemployment assistance benefits, or prior to May 1, 1977, whichever is earlier.

This bill would take effect immediately as an urgency statute, but the provisions relating to agricultural labor claims for federal special unemployment assistance benefits would have a contingent effect

Ch. 337 (SB 1724) Nejedly. Public Employees' Retirement System.

Existing Public Employees' Retirement Law prescribes different rights and benefits for persons who are classified as local safety rather than local miscellaneous members.

This bill would authorize contracting agencies to elect to include within the local safety member classification, persons who were employed by a police department to perform identification or communication duties on August 4, 1972, and who elect to be local safety members within a specified period.

This bill would take effect immediately as an urgency statute.

Ch. 338 (AB 3321) Mobley. Court reporters: Tulare County.

(1) Existing law provides that court reporters of superior and municipal courts shall receive \$55 per day for contested cases unless a statute provides for a different amount in the particular county. A regular official reporter receives retirement credit based on per diems earned in the court to which he is appointed. He makes retirement contributions and receives retirement credit based on average earnings of reporters without regard to the individual reporter's actual earnings.

This bill would provide that court reporters of the Superior Court of Tulare County shall receive a fee for reporting contested cases of not less than \$55 and not more than

\$90 as determined by the board of supervisors. For court reporters of the municipal courts, the per diem amount would remain the same but the board of supervisors would be authorized to grant a temporary increase.

Reporters would be limited to 1 per diem per day from the county. Also, regular official reporters of both the superior and municipal courts would receive retirement credit for per diems earned in any court, transcription fees paid by the county, and any work for county departments, but such credit could not exceed \$25,000 per year. Retirement contributions and credit would be based on actual earnings.

The bill would also expressly permit the board of supervisors to authorize regular official reporters of the Superior and Municipal Courts of Tulare County to participate in any group health, accident, life insurance or deferred compensation plan adopted by the county.

(2) Present law also requires the Judicial Council to provide by rule for the maintenance of specified records regarding the work product and fees of official court reporters in various counties, and to audit and inspect such records, and submit an annual report to the board of supervisors of those counties and also to the Legislature summarizing the information contained in the records.

This bill would require the Judicial Council to also provide for the maintenance of such records for Tulare County, and to also audit and inspect such records and submit an annual report of the records to the Board of Supervisors of Tulare County and the Legislature.

(3) The bill makes certain findings declaring that the subject of the bill requires legislative action affecting Tulare County.

Notwithstanding Section 2231 of the Revenue and Taxation Code, the bill would make no reimbursement nor appropriation because of a specified reason.

The bill would also take effect immediately as an urgency statute.

Ch. 339 (AB 1511) Chappie. Land surveyors: examination.

(1) Existing law provides for separate application for each division of land surveyors' examination, and specifies that the examination for the first division is to test the applicant's knowledge of certain subjects. Existing law does not prescribe necessary educational or experience requirements for the first division examination.

This bill would permit the State Board of Registration for Professional Engineers to prescribe by regulation reasonable educational or experience requirements, not to exceed two years of postsecondary education in land surveying or two years of experience in land surveying, for admission to the first division of the examination.

(2) Existing law specifies the minimum educational qualifications and experience in land surveying, which an applicant for the second division examination is to possess, including actual experience or equivalent land surveying experience.

This bill would revise such actual experience and equivalent land surveying experience qualifications.

Ch. 340 (AB 2799) Priolo. Courts. superior court reporters.

Existing law provides that the compensation of the senior court reporter of the Ventura County Superior Court shall be based on a salary range which is 15 percent higher than the range specified for regular superior court reporters.

This bill would reduce the differential to 10 percent and make some technical, nonsubstantive changes.

Ch. 341 (SB 1555) Berryhill. State employees: compensation.

Existing law requires state employees to be continuously employed for a period of 6 months in order to receive any sick leave with pay. This bill would delete that requirement and would make accumulation of sick leave commence after one month of continuous service.

Existing law prescribes industrial disability leave for state officers and employees who are members of the Public Employees' Retirement System and the State Teachers' Retirement System and who are temporarily disabled by illness or injury arising out of, and in the course of, state employment.

This bill would provide nonindustrial disability insurance on and after October 1, 1976, for such state officers and employees who are temporarily disabled by illness or injury.

not arising out of, and in the course of, state employment. The employees would be entitled to receive $\frac{1}{2}$ of their weekly salary up to \$125 per week for 26 weeks after they have used all of their accumulated sick leave with pay.

Existing law requires state miscellaneous, state industrial, state patrol, and state safety members of the Public Employees' Retirement System to pay various specified rates of contribution. This bill would reduce those contribution rates by approximately \$10 per month.

Existing law limits cost-of-living adjustments for retired persons under the Public Employees' Retirement System to 2% per year. This bill would provide a specified one-time increase in allowances with respect to state members who retired or died prior to July 1, 1974, payable on July 1, 1976.

Existing law provides a preretirement death benefit allowance for the survivors of members of the Public Employees' Retirement System who had met the requirements for service retirement at the time of their death which consists of $\frac{1}{2}$ of the unmodified allowance computed as if the member had retired on the date of death.

This bill would permit eligible surviving spouses of such members who were state employees to elect to instead receive the amount that they would have received if the employee had retired and elected optional settlement two.

Existing Public Employees' Retirement Law provides group term life insurance benefits for members who are full-time employees of the state or university. This bill would delete the full-time employment requirement.

Increases in employer contributions to the Public Employees' Retirement Fund to pay for the benefit improvements would be prescribed.

This bill would authorize the Director of Finance to allocate to state agencies for expenditure for the purposes of this act, funds appropriated by Items 95, 96, 98, 101, 102, and 103 of the Budget Act of 1976.

Existing law requires the State Personnel Board to establish and adjust salary ranges for each class of position in the state civil service with consideration to be given to the prevailing rates for comparable service in other public employment and in private business.

This bill would instead require the State Personnel Board to increase the salaries of full-time state employees by \$70 per month, the salaries of members of the California Highway Patrol by \$120 per month, to make salary realignment adjustments for specified employees, and to increase by $\frac{1}{2}$ step in the salary schedule, the salary ranges of specified state employees. The provision would only be applicable to salary adjustments during the 1976-77 fiscal year.

The bill would appropriate \$55,176,821 † to the Director of Finance, the State Personnel Board, the Public Employees' Retirement Fund, the Regents of the University of California and the Trustees of the California State University and Colleges for the costs of salary and other benefits prescribed by the bill.

The bill would require the Department of Finance to study the subject of inclusion of dental care benefits for state employees under the State Employees' Medical and Hospital Care Act and to report to the Governor and Legislature by January 1, 1977.

The bill would take effect immediately as an urgency statute and would become operative on July 1, 1976.

Ch. 342 (SB 1575) Smith. California Conservation Corps.

Existing law requires the Department of Parks and Recreation to establish the California Youth Conservation Corps, which affords summer employment in the maintenance of natural resources to 15- to 19-year-old persons. Other existing law establishes in the Division of Forestry the California Ecology Corps, whose members engage in various activities related to emergencies, fire prevention, and the protection and enhancement of natural resources, under the supervision of the State Forester.

This bill would abolish the California Youth Conservation Corps and the California Ecology Corps and would transfer most of their operations to the California Conservation Corps, which would be established in the Resources Agency and would generally engage in projects for conserving, improving, or developing natural resources, and preserving the environment. The Secretary of the Resources Agency would be responsible for the activities of the California Conservation Corps and would have specified powers, including the power to recruit and employ members of the corps, to

† Appropriation reduced to \$37,126,821 by action of the Governor.

authorize utilization of the corps in various types of projects (including fire prevention and suppression), establish rural centers to be operated by the State Forester, and to perform other acts relating to the administration of the corps and contract with any federal, state, or local public agency, certain private persons, organizations, and other entities. Members of the California Conservation Corps would not receive unemployment insurance or state retirement benefits.

The California Conservation Corps would continue in existence only until January 1, 1981.

This bill would appropriate \$5,000,000 to the Secretary of the Resources Agency in augmentation of Item 232 of the Budget Act of 1976 for support of the component parts of the California Conservation Corps.

This bill would take effect immediately as an urgency statute.

Ch. 343 (AB 3042) Vasconcellos. Postsecondary education: student aid.

(1) Current law provides for a Student Aid Commission composed of 11 members with various qualifications who are appointed for specified terms by the Governor, the Speaker of the Assembly, or the Senate Rules Committee. A specified 7 of such members are appointed from lists of nominees submitted by certain public and private organizations. Vacancies on the commission are filled by the Governor, the Speaker of the Assembly, or the Senate Rules Committee, on a rotating basis as such vacancies occur.

This bill would remove the requirement that a specified 7 of such members be appointed from lists of nominees submitted by certain public and private organizations.

This bill would provide that appointments to the commission shall be made by the Governor subject to confirmation by the Senate and with respect to vacancies, that any vacancy that arises shall instead be filled by the Governor for the remainder of the unexpired term of the prior member by the appointment of a person who has the same similar qualifications as such prior member, subject to confirmation by the Senate.

(2) Under current law, there are to be 4,550 awards made for tuition, student fees, and subsistence in the 1977-78 fiscal year and fiscal years thereafter under the Cal Grant program for disadvantaged students. The maximum Cal Grant award shall not exceed \$3,400.

This bill would increase the number of such awards to 6,825 and increase the award to not exceed \$3,600. This bill would also require the Student Aid Commission until June 30, 1980, to experiment with awarding Cal Grants to students in proprietary schools.

(3) Under current law, 4,550 new grants are to be available in the 1976-77 fiscal year for the College Opportunity Grant Program but grants in excess of 3,100 may not be awarded unless there are federal funds available therefor.

This bill would increase the number of such awards to 6,825 and specify that up to 5,375 may be made without the availability of federal funds.

This bill would make various related technical changes in student aid programs to postsecondary education.

This bill would amend Section 19.6 of the Budget Act of 1975 by changing various references therein to reflect current law and would increase the amount of student aid which may be made by various specified amounts in specified categories.

(4) This bill would also amend Section 19.6 of the Budget Act of 1976 to increase the number of new Cal Grant awards for disadvantaged students from 4,550 to 6,825 and would increase the maximum amount available for such expenditures from \$4,995,900 to \$5,405,400.

(5) This bill would take effect immediately as an urgency statute.

Ch. 344 (AB 3059) Foran. Child development services.

Existing law provides for a variety of child development services to provide as a concomitant part of the educational system an integrated plan for the care and development of children in the absence of their parents, to provide parents with designated opportunities, and to provide a comprehensive system of such services for prekindergarten and school age children and their parents that includes a full range of education, supervision, health, and social services through full- and part-time programs.

This bill would add new provisions to the law providing for the establishment and funding of alternative child care programs.

It would appropriate \$10,000,000 to the Department of Education for expenditure in fiscal year 1976-77 for such purpose

It also would take effect immediately as an urgency statute.

Ch. 345 (AB 3146) Carpenter. Public utilities: lifeline rates.

Existing law directs the Public Utilities Commission to designate a lifeline volume of gas and quantity of electricity necessary to supply minimum energy needs of average residential users and to require electrical and gas corporations to file a revised schedule of rates and charges providing a lifeline rate.

This bill would provide that where there is a master meter and the end use is residential, there shall be a lifeline volume and quantity apportioned for each residential unit.

The bill would take effect immediately as an urgency statute.

Ch. 346 (AB 4487) Burke. Development centers for handicapped pupils: taxes

Under existing law, a school district or county superintendent of schools may have a tax levied and collected for the purpose of supporting development centers for handicapped pupils.

This bill would permit the proceeds of the tax to be used by a county superintendent of schools for research projects in development centers and for facilities for such projects.

This bill would take effect immediately as an urgency statute.

Ch. 347 (AB 3561) Keene. Waste water facilities: state loan.

Under existing law, before a public agency may enter into a contract with the State Water Resources Control Board for a construction loan for waste water facilities under the Porter-Cologne Water Quality Control Act, it must hold an election within the agency on the proposition.

This bill would exempt the Humboldt Bay Waste Water Authority from the requirement to hold such an election.

The bill would also require that any loan made to the Humboldt Bay Waste Water Authority provide for repayment, by September 1, 1977, with interest, from moneys raised from the sale of bonds, and, if sales of bonds are inadequate to make such repayment, the authority would be authorized to apportion the total amount to its member agencies in accordance with the method of allocation of administrative expenses in the joint powers agreement which created the authority.

This bill would go into immediate effect as an urgency statute.

Ch. 348 (AB 2601) Lockyer. Public social services.

Under existing law the State Supplementary Program (SSP) cost-of-living adjustment from July 1, 1973, is calculated on the amount of the state payment, the first payment to be made July 1, 1975, except that such adjustments cannot be less than they would have been under the law in effect in December 1973.

This bill would revise the method of determining such cost-of-living adjustments beginning July 1, 1976, and would eliminate the requirement that the cost-of-living adjustments not be less than they would have been under the law in effect in December 1973.

The bill would also require the SSP grant to increase under certain circumstances by the amount of federal increases in supplemental security income (SSI) over a specified level due to cost-of-living increases or non-cost-of-living increases accompanied by an increase in federal old-age, survivors, and disability insurance benefits (O.A.S.D.I.) and in addition by the amount determined by a formula and based on SSI increases for non-cost-of-living increases not accompanied by an increase in O.A.S.D.I. Such provisions apply only during such times as SSP recipients are not eligible for federal food stamp benefits.

The bill would in addition require the SSP grant to increase by a formula during such times as SSP recipients are eligible for federal food stamp benefits and the SSI grant increases

The bill would also provide that effective July 1, 1976, the SSP payment schedules would be increased by \$3 per recipient.

Under existing law there is a continuing appropriation from the General Fund for the SSP program

This bill would increase the amount payable out of the continuing appropriation

This bill would also, commencing January 1, 1977, increase the amounts payable to families with needy children and the minimum amounts in the schedule of basic standards of adequate care for needy children. It would also, commencing January 1, 1977, revise the annual adjustment to reflect any increases or decreases in the cost of living occurring after December 31, 1975, rather than April 1, 1972.

The bill would provide that no appropriation is made for the reimbursement of any local agency for cost-of-living increases under the Aid to Families with Dependent Children Program

The bill would appropriate \$8,500,000 from the General Fund for allocation and disbursement to local agencies for the purpose of the grant increase under the Aid to Families with Dependent Children Program.

This bill provides that it becomes operative immediately as an urgency statute

Ch. 349 (AB 444) Beverly. Public funds: deposit in savings and loan associations.

The Constitution provides that the Legislature may provide for the deposit of public moneys in any bank in this state. Pursuant to this constitutional authority, existing statutory law provides, subject to certain conditions, for the deposit of public moneys in state or national banks located in this state

This bill would authorize, subject to certain conditions, the deposit of state funds and the funds of other specified public entities, including local agencies, in savings and loan institutions and would become operative only if ACA No. 31 of the 1975-76 Regular Session of the Legislature is adopted by the electorate.

The existing law provides, with respect to provisions of the law relating to the deposit of the funds of local agencies, that when an agent of depository accepts securities pursuant to specified provisions of the law, it may, subject to certain conditions, place such securities for safekeeping with specified institutions.

This bill would revise such provisions to make the Federal Home Loan Bank of San Francisco eligible to receive such securities.

This bill would take effect immediately as an urgency statute.

Ch. 350 (AB 2329) Priolo. State park system: land acquisition.

Past Budget Acts have contained appropriations from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 for capital outlay. The Budget Act of 1976 also contains such appropriations

This bill would amend and supplement the Budget Act of 1976 by adding a section thereto to appropriate a total of \$16,095,000 to the Department of Parks and Recreation payable from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974, for specified state park system land acquisition projects and associated costs. The bill would provide that none of such funds shall be available for expenditure unless and until such projects shall have been recommended by the State Park and Recreation Commission and approved by the Secretary of the Resources Agency. The bill would further provide that such funds shall not be expended on the purchase price of any real property until the State Public Works Board has made specified determinations regarding implied dedication and prescriptive rights or claims. The bill would make the expenditure of funds pursuant to one subitem of appropriation, for land acquisition at San Bruno Mountain, subject to the determination by the commission that local public entities have acquired, or are acquiring, comparable parklands in the area and have made reasonable assurances that no costs for maintenance, operation, and development of the parklands acquired with such funds will be borne by the state.

One subitem of appropriation in the bill would appropriate \$4,000,000 for real property acquisition at San Bruno Mountain for the state park system. If, on or before June 30, 1979, all or any part of such appropriation is not encumbered or expended, the Department of Parks and Recreation would be required to study the suitability of allocating an equal sum of money, or so much as is necessary, from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974, for specified projects in San Mateo County. The department would be required to report its findings and recommendations thereon to the Legislature on or before January 1, 1980.

The bill would take effect immediately as an urgency statute.

Ch 351 (AB 2584) Wornum State parks and beaches: transfer to National Park Service

Existing law establishes various parks and beaches as part of the state park system

This bill would direct the Governor to direct the Department of General Services to transfer Muir Beach State Park, Stinson State Beach, and Marin Headlands State Park to the United States National Park Service for inclusion within the Golden Gate National Recreation Area on or before April 1, 1980, and would also authorize the Governor to direct such a transfer of Angel Island State Park. The bill would provide for the care and conduct of such parks prior to transfer and reserve mineral rights to the state. It would also provide for reversion to the state of any land not used for a purpose consistent with the Golden Gate National Recreation Area and clarify the state's jurisdiction over adjoining tidelands and submerged lands with regard to specified matters

Ch. 352 (AB 3065) Foran State lands: Golden Gate National Recreation Area

Existing law does not provide for the transfer of state beaches and parks in the San Francisco Bay area to the National Park Service for inclusion in the Golden Gate National Recreation Area.

This bill would direct the Governor to direct the Department of General Services to make such a transfer of certain state beaches and parks and would authorize him to direct such a transfer of other state parks if he determines it is in the best interests of the state to do so. This bill would also require the maintenance of such parks prior to their transfer, impose restrictions regarding state-granted leases or concessions, and clarify the state's jurisdiction over adjoining tidelands and submerged lands with regard to specified matters. The bill also would provide for the reversion to the state of any land not used for a purpose consistent with the Golden Gate National Recreation Area and would reserve mineral rights to the state

(2) Existing law grants to the City and County of San Francisco certain tide and submerged lands that generally are in the area commonly known as Aquatic Park and include lands that underlie the Municipal Recreation Pier for part of its length. Such grants either confer on the city and county only the authority to lease the lands or prohibit any transfer of the lands.

This bill would permit the city and county to transfer, subject to such conditions as it may impose, to the United States, for inclusion in the Golden Gate National Recreation Area, such lands, or so much of such lands as may be necessary for the recreation area. Further, such transfer would be subject to reservations of mineral rights in the state and of fishing rights. The bill also would provide that if the United States ceases to use the lands for the recreation area, title in the lands shall revert to the city and county

(3) This bill would take effect immediately as an urgency statute.

Ch. 353 (AB 3067) Foran. Angel Island State Park: historical development.

Past budget acts have contained appropriations from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 for capital outlay. The Budget Bill for the 1976-77 fiscal year, as introduced, also contains such appropriations

This bill would amend and supplement the Budget Act of 1976 by adding a section thereto to appropriate \$250,000 to the Department of Parks and Recreation, payable from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974, for the repair and restoration of the Immigration Station Barracks in Angel Island State Park and the preservation, display, and interpretation of Chinese calligraphy therein

The bill would provide that none of the funds appropriated shall be available for expenditure unless and until such project has been recommended by the State Park and Recreation Commission and reviewed by the Secretary of the Resources Agency.

The bill would take effect immediately as an urgency statute, with the appropriation provisions becoming operative on July 1, 1976.

Ch 354 (AB 3276) Joint Committee on Fairs Allocation and Classification (Assemblywoman Davis, Chairman) Fairs: financing

(1) Under existing law, a horseracing association which handles \$20,000,000 or less in parimutuel pools operated by it during a racing meeting is required to deduct from such parimutuel pools 15.75% to be distributed as license fees, commissions, and purses, of which 10.25% is to be distributed for commissions and purses.

This bill would specify that for fair racing meetings, whether or not such fair racing meeting is conducted by a fair racing association or any other association under a contract, agreement, or lease, held during an annual fair such association shall deduct an additional 1%, over the 15.75%, which is to be used, among other things, for the encouragement of county fairs, district agricultural association fairs, or combined fairs thereof.

(2) Existing law provides that 40% of the first balance, as defined, of the Fair and Exposition Fund, up to a maximum of \$4,680,000, is authorized to be used for the encouragement of district, county, and combined fairs thereof, and that any unexpended portion of such percentage is to be used for capital outlay by specified fairs for specified fair projects such as projects necessary due to an emergency.

This bill would authorize the use of funds unexpended for such capital outlay to be used for general operational support purposes for county, district, or combined county and district fairs.

(3) Presently there is annually appropriated from the second balance, as defined, of the Fair and Exposition Fund, \$2,250,000 for purposes such as permanent improvements and equipment for specified fairs.

This bill would appropriate an additional \$3,000,000 from such second balance for each of the 1976-77, 1977-78, and 1978-79 fiscal years for loans to state-supported fairs for such purposes to be repaid under specified conditions.

(4) The Director of Food and Agriculture under present law has various specific authority and duties relating to fairs and agriculture

The bill would require the director to expend an amount not to exceed \$100,000 in any fiscal year for an exhibit or exhibits demonstrating the process of production and use of food and fiber from the producer to the consumer. Further, the director would be required to provide for a conference of fair judges to aid the Department of Food and Agriculture in adopting specified regulations relating to fairs.

Ch. 355 (SB 966) Garcia. Nutrition.

Presently, there is no state agency responsible for the development of a long-range plan of food and nutrition for the people of this state

This bill would create the Interdepartmental Council on Food and Nutrition in the State Department of Health, provide for its membership and require it to evaluate existing programs and expenditures and develop a comprehensive plan and recommendations on food and nutrition, including food additives, to be submitted to the Governor and Legislature.

This bill would terminate on January 1, 1979

Ch. 356 (SB 1270) Holmdahl. Housing: local building regulations.

Under existing law the governing body of a city or county may make modifications or changes in the ordinances or regulations it is required to adopt in conformance with the regulations of the State Housing and Community Development Commission relating to uniform housing standards. Such changes or modifications may be made if the city or county makes an express finding that they are necessary because of local conditions. The express finding and the modification or change are required to be filed with the State Department of Housing and Community Development.

This bill would provide that no such modification or change shall become effective until the express finding and the modification or change have been filed with the department. The bill would also provide that when a modification or change has been filed prior to the effective date of this bill without filing the express finding, the express finding must be filed within 90 days of the effective date of this bill; otherwise, the modification or change will have no force or effect.

This bill would also provide that no appropriation is made, nor obligation created, for the reimbursement of any local agency for a specified reason

Ch. 357 (SB 1622) Holmdahl. Property taxes: personal property audits.

Existing law requires that in any case in which locally assessable business tangible personal property owned, claimed, possessed or controlled by a taxpayer engaged in a profession, trade, or business has a full value of \$50,000 or more, the assessor shall audit the books of such profession, trade or business at least once every four years.

This bill would require such audit be performed at least once every four years only if the value of such property is \$100,000 or more.

Ch 358 (SB 1906) Russell. Insurance: refund of unearned premiums

Existing law specifies that, unless the contract otherwise provides, a person insured is entitled to a return of premium if the policy is canceled or rescinded, under certain conditions.

This bill would, in addition, provide that whenever an insurer rejects or declines coverage, surrenders or cancels certain automobile insurance policies or certain property insurance policies, or cancels certain financed insurance policies, the unearned premium shall be tendered to the person entitled thereto within 30 days after coverage ceases. Any unearned premium not so tendered shall bear 10% interest from and after such 30 days and shall be the sole penalty paid to the insured for failure to refund an unearned premium.

Ch. 359 (SB 1988) Nejedly. School districts: insurance.

Under existing law, school districts are authorized to establish a fund for losses to school district property to the extent of the deductible amount in the district's insurance coverage of such property. The district's annual deposits in such fund may not exceed one-half of 1% of the district's general fund budget, or \$50,000, whichever is greater.

This bill would expand the purposes for which such a fund may be established, to include, in addition to losses of school district property, any liability of the district and the district's liability under workers' compensation insurance. The extent of the fund or funds in any case would continue to be limited to the deductible amounts of the district's insurance coverage.

This bill would remove the maximum limitations on the annual deposits which could be made to such a fund.

This bill would allow the district's contracts for claim adjustment and related services to be charged against such fund or funds.

Ch. 360 (AB 1628) Garamendi. Personal income tax returns.

Existing Personal Income Tax Law prohibits the Franchise Tax Board from disclosing returns, reports and documents required to be filed under such law, with certain limited exceptions. One such exception allows the disclosure of such information to specified state and federal tax officers for tax purposes only.

This bill would authorize the disclosure of such information to such officers for tax purposes only, and except when furnished pursuant to a written agreement, to be furnished only pursuant to a written request in the form of an affidavit that such information is related to an investigation of a specific tax and that the information will be used in the ordinary performance of the applicant's official duties.

Ch. 361 (AB 1719) Alatorre. School notices.

Under existing law, the governing board of each school district is required to notify the parent or guardian of its minor pupils at the beginning of the first semester or quarter of the regular school term regarding specified rights of the parent or guardian and various other matters.

This bill would provide that when 15 percent or more of pupils enrolled in a public school that provides instruction in kindergarten or any of grades 1 through 12 speak a single primary language other than English, all notices, reports, statements, or records sent to the parent or guardian of any such pupil shall, in addition to being written in English, be written in such primary language, and may be responded to either in English or the primary language.

The bill would provide that there shall be no appropriation or reimbursement of any local agency for any state-mandated local program costs incurred by it pursuant to the act because the act merely affirms for the state that which has been declared existing law or regulation through action of the federal government.

Ch 362 (AB 2211) Carpenter. Fish: regulations governing waste.

Under existing law, the Fish and Game Commission is authorized to adopt regulations governing, among other things, the proper utilization of fish for other than profit. Existing law also provides by statute that for commercial purposes, there is a prohibition against the waste or deterioration of fish brought into California or taken in California waters.

The bill would specifically authorize the commission to adopt regulations to prevent the deterioration or waste of fish taken for purposes other than profit, and to regulate the disposal of the offal of such fish.

Ch. 363 (AB 2337) Worum. Parking facilities.

Existing law authorizes the Department of Transportation to construct fringe and transportation corridor parking facilities with federal funds and local or transit district funds

This bill would authorize the construction, maintenance, and operation of three demonstration fringe parking facilities projects by the department in the San Francisco Bay and Los Angeles regions. The bill would also authorize the department to match federal or local funds with revenues from taxes imposed by the state on motor vehicle fuels upon a finding that such facilities would improve the safety and capacity of the state highway system.

The bill would also provide that the departmental participation would be determined by agreements with other public agencies.

Ch. 364 (AB 2341) Worum. Commercial fishing. crabs.

Under the existing law, crabs may be taken, for commercial purposes, only between December 1st and July 15th in Fish and Game Districts 6, 7, 8, and 9.

This bill would, instead, permit, until January 1, 1978, the taking of crabs, for commercial purposes, between December 1st and August 31st in Fish and Game Districts 6, 7, 8, and 9

This bill would take effect immediately as an urgency statute

Ch. 365 (AB 2477) Beverly. Inheritance tax referee examinations: administration.

Under existing Inheritance Tax Law, the State Controller is required to appoint as inheritance tax referees only those persons who have passed a qualifying examination. The Controller is mandated to contract with the State Personnel Board to administer such examinations.

This bill would specify that the administration of such examinations would include the development of standards for passage of the examinations and scoring examinations, and would require such board to transmit to the Controller a list of candidates that passed such examinations. This bill would specify that such list would be a public record.

Ch. 366 (AB 2553) McCarthy. Civil rights

Existing case law has held that the Unruh Civil Rights Act prohibits all forms of arbitrary discrimination by business establishments. Any violator of such act is liable for actual damages and \$250 in addition thereto.

This bill would specifically provide that no business establishment shall discriminate against, boycott or blacklist, refuse to buy from, sell to, or trade with any person, as defined, in this state because of the race, creed, religion, color, national origin, or sex of such person or of such person's partners, members, stockholders, directors, officers, managers, superintendents, agents, employees, business associates, suppliers, or customers.

It would make a business establishment making such discrimination, as well as discrimination prohibited under the Unruh Act, liable for actual damages plus such amount as may be determined by a jury, or a court sitting without a jury, up to a maximum of three times the amount of actual damages but in no case less than \$250, and such attorney's fees as may be determined by the court.

This bill would also state legislative intent that the state not preempt this area of regulation to the exclusion of local jurisdictions

Ch. 367 (AB 2590) Bannai. Domestically reared anadromous fish: Davenport Landing Creek

Under existing law, the Fish and Game Commission is authorized to grant to the holder of a domesticated fish breeder's license, a permit to release and capture domestically reared anadromous fish. These provisions (1) require any permit issued to be on an experimental basis until its impact on the fishery resource can be ascertained and, therefore, restrict such permits to Elk Creek, as specified, and (2) require the Department of Fish and Game to report to the commission on July 1, 1975, and on that date

each two years thereafter until the termination of such provisions on January 1, 1981, on any permit granted pursuant to such provisions, together with any recommendations relating to such provisions.

This bill would extend the application of such provisions to Davenport Landing Creek, as specified

This bill would also revise the reporting requirements of the department to require such a report only on July 1, 1979

Ch. 368 (AB 2617) MacDonald. County Employees Retirement Law: service credit.

Existing County Employees Retirement Law of 1937 generally provides for the receipt of service credit only for time in actual employment

This bill would make members eligible to receive up to 2 years of additional credited service if the board of supervisors, by resolution, determines that because of an impending curtailment of service or change in the manner of performing service, savings of money, or other economic benefit to the county, the best interests of the county would be served and various other conditions are met, including that the member be employed in a job classification, department, or other organizational unit specified in the board's resolution, that the member retires on or between dates specified by the board, and specified amounts are paid by the county to the retirement fund. The provision would not be applicable in any county until adopted by the board of supervisors and a member who reentered county employment would forfeit any service credit he acquired because of such provisions.

The bill also provides that its provisions would be repealed effective January 1, 1979.

The bill would take effect immediately as an urgency statute for specified reasons.

Ch. 369 (AB 2747) Murphy. Property and evidence: criminal cases.

Under existing law, the sale of unclaimed stolen or embezzled property in the custody of officials may take place after six months, or, in the case of bicycles after three months, and evidence in criminal cases may be sold after six months

This bill would provide for the sale of such property and evidence after three months, if the owner is known and has been notified, and would otherwise retain such periods of existing law

Ch. 370 (AB 2753) MacDonald. Land transfer. City of Ventura.

The Department of Parks and Recreation retains a certain parcel of real property located west of Sanjon Road, between State Highway Route 101 and the Southern Pacific Transportation Company right-of-way, in the City of Ventura.

This bill would require the department to offer to transfer such property, as described, to the City of Ventura and would require the city to retain ownership and control of the property in perpetuity and to maintain a nonexclusive right-of-way across it to adjoining property, or title thereto would revert to the state. Mineral rights in the transferred property would be reserved in the state

Ch. 371 (AB 2788) Knox. Medi-Cal.

Under current law prepaid health plans and marketing organizations are prohibited from soliciting prospective enrollees on state or county premises for Medi-Cal benefits or services.

This bill would permit such solicitation on county premises if the county is a prepaid health plan carrier.

Ch. 372 (AB 2805) Hart. Juror compensation

Existing law provides that grand jurors in Santa Barbara County receive ten dollars per diem and thirteen cents per mile for attending meetings of the grand jury or its committee meetings.

This bill would increase the per diem payable to grand jurors to fifteen dollars and the mileage to fifteen cents per mile for attendance at meetings of the grand jury or its committees.

Existing law reimburses grand jurors in Ventura County at the rate of \$5 per day and 9 cents per mile, when in pursuit of their functions.

This bill would increase the compensation of grand jurors in pursuit of their functions

to \$15 per day and mileage at the rate currently being paid to Ventura County employees.

Notwithstanding Section 2231 of the Revenue and Taxation Code, the bill would make no reimbursement nor appropriation because of a specified reason.

Ch. 373 (AB 2852) Montoya. Vehicles: dealers: mobilehomes.

Existing provisions of the Vehicle Code do not specifically provide that a mobilehome dealer may solicit or obtain listings of, engage in the multiple listings, with other licensed mobilehome dealers, or engage in payments to another mobilehome dealer, dealers, or multiple groups of dealers pursuant to cooperative brokering and referral arrangements, or agreements on the sale of, any used mobilehome which has been registered under the authority of the Vehicle Code for at least one year

This bill would specify that a mobilehome dealer may engage in such activities. The bill would also authorize the Department of Motor Vehicles, after notice and hearing, to suspend or revoke the license issued to a mobilehome dealer upon determining that the licensee has done any of the following acts

(a) While acting under the authority specified in the bill, entered into an exclusive listing agreement that did not include a specified date upon which the agreement was to terminate.

(b) While acting under the authority specified in the bill, claimed or took any secret or undisclosed amount of compensation, commission, fee or profit or fails to divulge to his principal the full amount of such compensation, commission, fee or profit, except disclosure of exclusive financial arrangements between a mobilehome dealer and a financial institution, prior to, or at the time that, a contractual agreement is signed whereby all parties involved, after negotiation, have come to terms.

(c) While acting under the authority specified in the bill, used any provision in an agreement authorizing or employing the mobilehome dealer to sell, buy, or exchange such mobilehome and which allows the mobilehome dealer an "option to purchase" the mobilehome unit, unless, prior to, or at the time of the decision to execute such "option to purchase," there is divulged in writing to the employer, disclosure of the dealer's profit, and the employer gives written consent approving the amount of such profit

The bill would take effect immediately as an urgency statute.

Ch. 374 (AB 2911) Mobley Tax preparers.

Existing law regulates tax preparers. Under existing law, certain persons are exempt from these regulations, including persons authorized to practice before the Internal Revenue Service, as specified.

This bill would also provide that a partnership is exempt from these regulations if all of its partners are authorized to practice before the Internal Revenue Service, as specified.

Ch. 375 (AB 2926) Lancaster Real estate

Existing law provides for a Real Estate Commission which consists of the Real Estate Commissioner and eight other members six of whom shall be real estate brokers representing various areas of California and two public members. All members of the commission are appointed by the Governor. The law provides that the commissioner shall be a real estate broker for at least 5 years.

This bill would change the name of the commission to the Real Estate Advisory Commission and would make related changes. The bill would provide that the commission is to consist of 8 members, 5 real estate brokers and 3 public members, each of whom would be appointed by the commissioner rather than the Governor

The bill would provide that the commissioner is to preside at commission meetings and shall meet, consult and advise with the commission on specified matters affecting the department, the real estate industry and licensees of the department. The bill would provide that the commission may make recommendations and suggestions of policy to the commissioner as it deems beneficial and appropriate

This bill would provide that the Real Estate Commissioner may have either 5 years experience as a real estate broker or related experience associated with real estate activity in California for 5 years within the last 10 years

Existing law provides for the issuance of an original real estate broker's license to an

applicant immediately upon passing the broker's examination if such applicant has, among other things, 2 years real estate experience or has graduated from a 4-year college course, which course includes specialization in real estate, and if such applicant files an application with the Department of Real Estate and a committee of not less than 3 members of the Real Estate Commission approves of the issuance of such license.

This bill would substitute the approval of the Real Estate Commissioner for the approval of the members of the Real Estate Commission for the issuance of such real estate broker's license

Ch 376 (AB 2944) Nestande. Probation.

Under existing law, if a defendant released on probation is committed to a state prison for another offense and sentence was previously imposed for the offense for which he was granted probation, the court which released the defendant on probation is deprived of its jurisdiction over the defendant if it does not issue its commitment or make other final order terminating its jurisdiction over defendant in the case within 30 days of notification of the defendant's confinement.

This bill would extend the period for the court to act from 30 to 60 days.

Ch 377 (AB 2996) Egeland. State university and colleges.

Under existing law, as a general proposition student body organization fees together with all tuition and material and service fees are collected at the time of registration

This bill would except fees where a student loan or grant has been delayed, as specified, or where changes are made during the change of program period resulting in a higher fee category than paid at time of registration.

It also would make technical changes.

Ch. 378 (AB 3014) Beverly. State funds. investment.

Existing law specifies the types of securities which are eligible securities for the investment of surplus state funds.

This bill would permit the State Treasurer to enter into repurchase agreements or reverse repurchase agreements of any of these eligible securities. It would define these terms

Ch. 379 (AB 3017) McLennan. Medical licenses.

Under existing law, exception is made from the requirements for the practice of medicine with respect to a foreign medical student enrolled in a California medical school when acting pursuant to his course of study.

This bill would extend such exception to apply to a foreign medical student enrolled in a clinical training program when acting pursuant to his course of study

Ch. 380 (AB 3093) McVittie. Spousal support.

Under existing law a person may petition the court to terminate spousal support if the person to whom support has been ordered is living with a person of the opposite sex and holding himself or herself out as the spouse of such person for a total of 30 days or more, either consecutive or nonconsecutive, although not married to the other person; and the court is required to order restitution of any support paid since the spouse to whom support has been ordered to be paid commenced holding himself or herself out as the spouse of the person.

This bill would repeal such law and would, instead: establish, except where otherwise agreed to in writing by the parties, a rebuttable presumption, affecting the burden of proof, of decreased need for support if the supported party is cohabiting with a person of the opposite sex; authorize the court, upon such a finding of changed circumstances, to modify payment of support, as specified; provide that holding oneself out to be the spouse of the person with whom one is cohabiting is not necessary to constitute cohabitation as used herein; and provide that nothing therein shall preclude later modification of support upon proof of change of circumstances.

Ch. 381 (AB 3132) Fenton. Appropriations: Board of Control.

This bill would appropriate \$558,692.26 from various specified state funds to the State Board of Control to pay claims against the state.

This act would take effect immediately as an urgency statute

Ch 382 (AB 3267) Calvo. Carpools

Existing law permits state and local agencies to purchase automobiles for the use of their employees in the conduct of official business, and requires that rules and regulations be adopted to govern the use of such vehicles.

This bill makes findings and declarations about energy consumption, air pollution, traffic congestion and parking, and amelioration of such problems by using carpools and vanpools. The bill would permit the state to operate such programs and would define "county business" and "state business" to include the operation of county or state-owned or leased vehicles in a carpool or vanpool program for county or state employees, provided that an adequate fee is charged to fully reimburse the county or state for such service.

The bill would require the State Board of Control to prescribe rules and regulations governing the procedures to be used in the operation of state-owned vehicles as commute vehicles in a state carpool or vanpool program.

Ch. 383 (AB 3328) Siegler. Commissioner of civil marriages.

Existing law authorizes any county with a population of 600,000 or more, which makes a specified finding of need, to designate the county clerk as commissioner of civil marriages, and permits commissioner to appoint deputy commissioners to perform marriages.

This bill would make such authorization applicable to counties with population of 100,000 or more rather than 600,000 or more.

Ch 384 (AB 3505) Chimbole. Counties: bonds for officers and employees.

Under existing law, counties are required to execute official bonds with respect to various public officers within the county, and are authorized to execute a master bond with regard to employees, under which county officers may be included as an alternative to execution of individual official bonds.

This bill would authorize the board of supervisors of any county, to, by resolution, adopt a program of self-insurance in lieu of bonds for any officer or employee of such county, or for the officers or employees of any district, the governing board of which is the board of supervisors of the county adopting the resolution, or for any officer or attaché of any court supported in whole or in part by the adopting county. After such resolution is adopted, any or all requirements of law with respect to faithful performance or revolving fund bonds would be inapplicable to such a county, district, or court, or any officer or employee thereof. However, such a county would be required to provide for self-insurance in an amount equivalent to bonds provided under such provisions of existing law.

Ch. 385 (AB 3566) Chappie. Superior courts: sessions

Under existing law, a 2-week session of the superior court in any month may be held at various cities which are not less than 55 miles from the site of the county courthouse.

This bill would permit a county board of supervisors, with the approval of either the presiding judge or the majority of judges of the court, to authorize such 2-week superior court sessions in unincorporated areas not less than 55 miles from the site of the county courthouse.

Ch 386 (AB 3615) Keysor. Federal elections overseas citizens.

Existing California statutes do not provide a procedure, except for specified war voters, whereby residents or former residents of this state who reside outside of the United States may be entitled to register to vote by absentee and to vote by an absentee ballot in federal elections.

This bill would provide such a procedure, and would conform its provisions to the Federal Overseas Citizens Voting Rights Act of 1975 (Public Law 94-203).

This bill also incorporates certain technical changes to become operative only if AB 2606 is also chaptered.

This bill would take effect immediately as an urgency statute.

Ch 387 (AB 3904) Hughes. School property and equipment

Existing law provides that the governing board of a school district may pay in advance for designated items.

This bill would add admission tickets and payments on leases of real property to such class of items.

Ch 388 (AB 3933) Maddy. Vehicle salesmen

(1) Existing law provides that it is unlawful and a cause for disciplinary action for a licensed vehicle salesman to act as a vehicle salesman or engage in such activity for or on behalf of more than a single employer that is a licensed dealer

This bill would revise such provision by specifying that it is unlawful and a cause for disciplinary action to act as a vehicle salesman or engage in such activity for, or on behalf of, more than a single person whose business does not have identical ownership and structure. The bill would also specify that such provisions shall not be deemed to preclude a vehicle salesman from working at more than one location of such single dealer, if the business of the dealer has identical ownership and structure.

(2) Existing law requires that every vehicle salesman, at the time of employment, deliver to his employing dealer his salesman's license to be posted in a conspicuous place on the premises of the employing dealer.

This bill would require that the license be posted in a conspicuous place on the premises where the salesman is actually engaged in the selling of vehicles for the employing dealer.

Ch 389 (AB 4106) Chimbole. Schools governing board recall.

Under existing law, proceedings for the recall of a school district governing board member may be initiated by a petition signed by voters of the district, and a statement of 500 words or less stating the grounds on which the recall is sought. The officer sought to be recalled may prepare a statement of 500 words or less to accompany the recall petition. The election procedure on the petition includes the mailing to each registered voter in the district of a sample ballot on which there shall be printed the grounds on which the recall is sought, which are the grounds set forth on the recall petition.

This bill would reduce to 200 words or less, the maximum length of both the statement of grounds and the answer in connection with a petition for the recall of a governing board member.

This bill would provide for the mailing of a sample ballot and a pamphlet, rather than just a sample ballot. On the pamphlet, such grounds for the recall would be printed.

This bill would also make a related technical change regarding the printing of recall ballots.

Ch. 390 (AB 4125) Knox. Local agencies revenue anticipation notes.

Existing law, regarding revenue anticipation notes of local agencies, does not specify that the resolution authorizing the issuance of the notes must specify the security therefor.

This bill would add such a provision.

Existing law permits state banks to lend on notes created by the state or local agencies if the notes are not for more than a period of 6 months and do not exceed 50% of the value of the taxes which are the collateral therefor.

Existing law permits the state and local agencies under certain conditions, however, to engage in temporary borrowing or issue and grant anticipation notes for a period of up to 15 months, that pledge up to 85% of the value of the security.

This bill would enable state banks to lend on such notes.

Ch. 391 (AB 4232) Bane. Public building certificates

The existing law provides, with respect to provisions of the law authorizing the state and local agencies to issue certificates for the building of public buildings, that such certificates are not negotiable instruments.

This bill would revise such provisions to make such certificates negotiable instruments.

This bill would also declare such certificates issued prior to its effective date which are held by the Public Employees' Retirement System, or any other governmental

agency negotiable instruments.

In addition, this bill would take effect immediately as an urgency statute

Ch. 392 (AB 4304) Chappie Alcoholic beverages: wine containers

Existing law provides that a quantity discount of wine to consumers not exceed 10% on quantity sales of a case or more. A case is defined as containing 2.3 gallons or more of wine consisting of containers of the same size.

This bill would define "containers of the same size" as including wine in metric measure containers and wine in U.S. standard measure containers which contain substantially the same amount of wine.

Ch. 393 (AB 4440) Brown. Eminent domain. quasi-public entities.

Under existing law Chapter 1275 of the Statutes of 1975 establishes a procedure for local governmental review of quasi-public entity eminent domain proceedings commenced on or after July 1, 1976.

The bill would require that such review be applicable to those proceedings that have been commenced prior to July 1, 1976, but for which a summons is not served by April 1, 1976.

This bill would take effect immediately as an urgency statute.

Ch. 394 (AB 4446) Burke Vehicles U-turns.

Existing law generally permits traffic to make a semicircular or U-turn except where such a turn is prohibited by signs erected at an intersection having an official traffic control signal

This bill would require that such a turn be made from the far left-hand lane that is lawfully available to traffic moving in the direction of travel from which the turn is commenced. The bill would also make technical, nonsubstantive changes

Ch. 395 (SB 822) Nejedly. Subdivisions.

Existing law does not require, apart from the initial sale, that a prospective purchaser or owner of a unit or lot in a subdivision be furnished a copy of the declarations of restrictions, bylaws, articles of incorporation, or other instruments controlling or otherwise affecting rights to ownership, possession, or use of interests in the real property

This bill would require the owner of a lot or unit in specified subdivisions, as soon as practicable before transfer of title or the execution of a real property sales contract, as specified, to give the prospective purchaser a copy of such documents. It would also require the governing body of such subdivisions to provide, upon request, the owner of a lot or unit within such subdivision the same documents and would permit the governing body to impose a fee, as specified

A violation of the bill would not affect the validity of title, but any person violating the provisions of the bill would be subject to a specified penalty.

The bill is expressly made inapplicable to initial sales.

Ch. 396 (SB 1379) Dunlap Mechanic's liens. preliminary notice

Existing law requires the preliminary notice which is requisite to recording a mechanic's lien to be given to the owner, contractor and construction lender, if any, not later than 20 days after a claimant has first furnished labor, service, equipment, or materials to the jobsite. Such notice, among other things, is required to contain a statement that if bills are not paid in full for labor, service, equipment, or material furnished, or to be furnished, that the improved property may be subject to mechanic's liens.

This bill would delete such required statement and would require, instead, a statement to be contained in such preliminary notice, in boldface type, entitled "Notice to Property Owner" and indicating that if such bills are not paid in full a mechanic's lien leading to the loss of all or part of the owner's property being improved may be claimed against the property even though such owner already may have paid the contractor in full, and indicating that the owner may wish to protect himself by requiring a signed release or other appropriate method or device

The bill would become operative on January 1, 1978.

Ch 397 (SB 1515) Grunsky. County superintendents of schools: maximum tax rate.

Current law specifies a maximum tax rate for county superintendents of schools

This bill would add to that maximum rate an amount sufficient to equal the expenditures made by school districts in the prior fiscal year for a special education program which has since been transferred to the county superintendent of schools pursuant to a procedure permitting such transfer with the approval of the Superintendent of Public Instruction. This bill would also provide for a reduction in the revenue limit of the district from which the program was transferred.

Existing law grants the homeowners' property tax exemption in the amount of \$7,000 of the full value of qualified dwellings and continuously appropriates state funds for subventions to local government to compensate for property tax revenues lost by reason of such exemption

This bill would increase the amount of such appropriation by authorizing an increased rate of property tax.

This bill would take effect immediately as an urgency statute.

Ch 398 (SB 1516) Dunlap. Wine school property.

Existing law makes it unlawful for any person to possess, consume, sell, give, or deliver to any other person, any alcoholic beverage in or on any public schoolhouse or any of the grounds thereof.

This bill would provide that such prohibition shall not apply to the sale, possession, consumption, or delivery of wine on the premises of a school building which has been leased by a school district in Napa County to a nonprofit association pursuant to specified provisions

Ch. 399 (SB 1539) Nejedly. Juvenile court: detention in juvenile halls of other counties

Existing law requires the establishment and maintenance of a juvenile hall for each county or of a joint juvenile hall by two or more counties but makes no other specific provision for detention of minors subject to the juvenile court law in juvenile halls of other counties.

This bill would specifically authorize presiding or sole juvenile court judges, when there is no juvenile hall in the county of residence or when the juvenile hall becomes unfit or unsafe, as defined, including overcrowding, to designate, by written order and with the recommendation of the probation officer of the county and the consent of the probation officer of the other county, the juvenile hall of any other county for the detention for not to exceed 60 days of an individual minor subject to the juvenile court law and to modify or vacate such order

This bill would also require related notification of the parent or guardian. This bill would also require the sending county to reimburse the receiving county for related costs and liability as agreed upon by the two counties.

Existing law requires the Department of the Youth Authority to adopt minimum standards for the operation and maintenance of juvenile halls

This bill would require the Department of the Youth Authority to establish a maximum population limit for each juvenile hall

This bill would take effect immediately as an urgency statute.

Ch 400 (SB 1540) Nejedly. Advisory committee expenses

Existing law does not specifically permit a county board of supervisors to pay from any available funds the actual and necessary expenses of members of a county advisory committee on drug abuse

This bill would permit a board of supervisors to make such payment.

Ch 401 (SB 1546) Stull. School districts: governing board elections: tie vote resolutions

Under existing law, in cases of tie votes in elections of members of governing boards of school districts, the governing board is required to determine the winner or winners by lot

This bill would grant such governing boards the option of determining the winner or winners by lot or of calling a specified runoff election between or among the candidates

receiving the tie votes and to be held on the fourth Tuesday following the tie election; would require each school district governing board to specify the procedure to be adopted in the event of a tie vote prior to the conducting of any school board election on or after March 1, 1977, and would specify that related outgoing members continue to discharge their duties until their successors are qualified; and would require the governing board to determine all adjustments in statutory time requirements which would be necessary in order to conduct the runoff election

Ch 402 (SB 1699) Berryhill. Weights and measures.

Under existing law, a sealer of weights and measures is not authorized to permit the use of any weighing or measuring device which he finds to be incorrect in accordance with certain standards.

This bill would provide that a sealer may permit the use of an unsealed device pending repairs if the device is in error only to the disadvantage of the user and the user is never the buyer. Such an unsealed device would have to be repaired within 30 days.

These provisions would not be applicable to devices used by public weighmasters, as specified.

Ch 403 (SB 1804) Mills. Grade separation projects state spending limitations.

Existing law requires the California Highway Commission to allocate funds for grade separation projects according to a priority list of such projects prepared by the Public Utilities Commission. Such allocations are subject to various limitations as to the state's share of the total cost of such a project.

This bill would further limit such allocations by restricting the total of such allocation for a single such project to \$5,000,000 without specific legislative authorization.

Ch. 404 (SB 1816) Roberti. Adoptions: custody, parentage dispute.

Existing law provides that an adoption agency to which a child has been relinquished for adoption is entitled to the custody and control of the child until a petition for adoption has been granted.

This bill would provide that such an adoption agency is entitled to exclusive custody and control of the child until a petition for adoption has been granted.

The Uniform Parentage Act provides that the court has continuing jurisdiction to modify a judgment or order made under the act, and, in specified adoption situations, a petition to terminate the parental rights of the father must be filed.

This bill would provide that any judgment or order which related to an adoption may only be modified in the same manner and under the same conditions as a decree of adoption may be modified under specified statutes relating to the revocation or modification of adoption decrees on grounds of procedural defects or irregularities or of subsequent development of unknown mental deficiency or illness and to limitations for commencing such actions, and provide that no filing fee shall be charged for the filing of such petition.

Ch. 405 (SB 1834) Stern. Market milk: content.

Under existing law, except for market milk that is certified milk, market milk is required to contain not less than 3.5% milk fat and not less than 8.7% solids not fat. Market milk that is certified is required to contain not less than 3.5% of milk fat and not less than 8.5% solids not fat. Further, there is authorization for standardizing market milk to contain a milk fat content of not less than 3.5%.

The bill would permit a 0.1 of 1% variance from the percentages of milk fats and solids not fat required in market milk other than certified milk and certified milk, provided that in the case of certified milk the total combined percentages of milk fat and solids not fat, at the time of delivery to the consumer would be required to exceed or equal 12%, and provided that in the case of market milk other than certified milk that such combined percentages, at such time, would be required to exceed or equal 12.2%.

This bill would also remove the present authorization for standardizing the milk fat content of market milk and instead provide that market milk may be standardized to comply with the minimum milk fat and solids not fat percentage requirements, with the permissible variations therefrom, as specified by this bill.

Ch 406 (SB 1832) Nejedly. Notice of trial.

Under existing law in trials in the superior court and the municipal court, proof must be made to the satisfaction of the court that the adverse party has had 15 days notice of trial and that notice of trial be served by mail on all of the parties by the clerk at least 20 days prior to the date set for trial. If notice is not served by the clerk, any party, at least 15 days prior to the date set for the trial can serve the notice by mail.

This bill would, in unlawful detainer actions, reduce the above notice requirements to not less than 5 days.

Existing law provides that proof of notice may be made by introduction into evidence of specified clerk's certificate, if served by the clerk, or specified affidavit or certificate, if served by a party.

This bill would additionally permit such proof to consist of other competent evidence.

Ch. 407 (SB 1854) Way. Agricultural products; standards

The existing law provides for the establishment of quality and maturity standards for certain fruits, nuts, and vegetables, containers or packing requirements, and permits for transaction and transportation of fruit, nuts, and vegetables.

This bill would make necessary corrections in such provisions and make reference to regulations adopted by the Director of Food and Agriculture, rather than to deleted provisions of law.

Ch. 408 (SB 1893) Nejedly. Public transportation

(1) Under the Mills-Alquist-Deddeh Act funds are allocated for public transportation.

The act, in general, defines a "municipal operator" as a city or county which operates a public transportation system and which is not included in an existing transit district.

This bill would define the term "operates," as used with respect to municipal operators, to mean that the operator owns or leases the equipment, establishes routes and frequency of service, regulates and collects fares and otherwise controls the efficiency and quality of the operation of the system, but does not require that operators of rolling stock be employees of a public agency.

(2) Commencing January 1, 1977, the act would define "included municipal operator," to also mean the City and County of San Francisco and the Counties of Alameda and Contra Costa, with respect to any portion of the unincorporated area thereof, and any cities in those counties, which are outside the area of the Alameda-Contra Costa Transit District and which are not receiving adequate local public transportation services from any of the transit districts which includes them, as determined by the Metropolitan Transportation Commission, taking into consideration specified criteria. Under specified circumstances, funds allocated to these included municipal operators could be expended by them for the development and operation of public transportation systems.

The bill would also define the term "operation," in this instance, as the term "operates" is defined above.

Ch 409 (SB 1925) Grunsky. Schools' revenue limits' adjustment.

Under current law, the revenue limit of a school district may be increased or reduced because of various estimating errors.

This bill would prohibit the adjustment of the revenue limit of a school district because of an overstatement of the average daily attendance in kindergarten in prior fiscal years, but would provide for an adjustment in the 1976-77 revenue limit based upon a corrected average daily attendance for the 1972-73 base year.

Existing law grants the homeowners' property tax exemption in the amount of \$7,000 of the full value of qualified dwellings and continuously appropriates state funds for subventions to local government to compensate for property tax revenues lost by reason of such exemption.

This bill would increase the amount of such appropriation by authorizing an increased rate of property tax.

This bill would take effect immediately as an urgency statute.

Ch. 410 (SB 1959) Kennick. State Employees' Medical Act contracting agencies

The State Employees' Medical and Hospital Care Act presently authorizes the administrators to enter into agreements with contracting agencies of the Public Em-

ployees' Retirement System for health benefits coverage of their employees.

This bill would prohibit the administrators from entering into or renewing a contract with any contracting agency on and after January 1, 1977, which does not require major medical benefits for the employees

Ch 411 (SB 1967) Berryhill. Contractors

Existing law provides that all provisions, clauses, covenants, or agreements contained in, collateral to, or affecting any construction contract, as defined, and which purport to indemnify the promisee against liability for damages for (a) death or bodily injury to persons, (b) injury to property, (c) design defects or (d) any other loss, damage or expense arising under either (a), (b), or (c) from the sole negligence or willful misconduct of the promisee or the promisee's agents, servants, or independent contractors who are directly responsible to such promisee, are against public policy and are void and unenforceable

This bill would prohibit a contractor required to be licensed under the Contractors License Law to insert in any contract, or be a party with a subcontractor who is licensed under such law to any contract which contains, such a provision, clause, covenant, or agreement which is void or unenforceable

Ch 412 (SB 2030) Dunlap Secretary of State appropriation.

Under existing law, the Secretary of State is required to prepare ballot pamphlets and to furnish each county clerk with as many copies as needed

This bill, which would take effect immediately as an urgency statute, would appropriate \$218,900 to the Secretary of State for purposes of complying with the above provisions of existing law

Ch. 413 (SB 2053) Ayala. Appropriation Medi-Cal program

The Budget Act of 1975 appropriated funds for various aspects of the Medi-Cal program

This bill would reappropriate \$4,551,611 of the amount appropriated by a specified item of the Budget Act of 1975, and would make such amount available, upon order of the Director of Finance, for transfer to 2 different items contained in the Budget Act of 1975 which provides for state support and administrative expenditures for the Medi-Cal program

The bill would take effect immediately as an urgency statute

Ch. 414 (SB 2193) Stull Mobilehomes separation distance requirements.

Existing law requires specified minimum separation distances between mobilehomes and buildings or other mobilehomes.

This bill would authorize location of a private garage immediately adjacent to the mobilehome if the requirements for 1-hour fire-resistance construction are met and would specify additional separation distances under other conditions

This bill would take effect immediately as an urgency statute

Ch 415 (SB 1373) Mills Lobbyists

Existing law requires one original and one copy of reports and statements of lobbyists to be filed with the Secretary of State

This bill would require that one original and two copies be filed with the Secretary of State and would require the Secretary of State to send one copy to an office of the secretary in Los Angeles.

Existing law requires all financial interest statements and reports of public officials and designated employees, as defined, to be filed with the state or local agency and requires such agency to forward the original to the code reviewing body, as defined

This bill would retain the requirement that such statements and reports must be filed with the state or local agency but would only require the state or local agency to transmit the following statements and reports to the appropriate code reviewing body: those of the head of an agency, those of members of independent boards and commissions, and those of elected state officers, members of boards of supervisors and chief administrative officers of counties, mayors, city managers, chief administrative officers and members of city councils of cities, and candidates for any such office

Existing law requires the contents of lobbyists' registration statements and periodic

reports to be printed in the Senate and Assembly Journals and in supplements thereto, respectively.

This bill would require instead that all information listed on registration statements be printed and made public by the Secretary of State, would repeal the requirement that the information contained in periodic reports be printed in supplements to the Senate and Assembly Journals, and would declare the findings of the Legislature that such changes are in furtherance of the purposes of the Political Reform Act of 1974.

The bill would also incorporate additional changes in Section 81005, Government Code, proposed by AB 809, to be operative only if AB 809 and this bill are both chaptered and this bill is chaptered last.

The bill would take effect immediately as an urgency statute

Ch 416 (SB 568) Roberti. Warranties

The Song-Beverly Consumer Warranty Act provides that every manufacturer of consumer goods sold in this state and for which the manufacturer has made an express warranty shall maintain or cause to be maintained in the state sufficient service and repair facilities to carry out the terms of such warranties or be subject to the provisions of the act making a manufacturer liable to a retailer who performs service or incurs obligations in giving effect to such warranties.

This bill would permit a manufacturer to designate an independent repair or service facility as an authorized service and repair facility and require that both those service and repair facilities and those to be maintained or caused to be maintained by the manufacturer be reasonably close to all areas where the manufacturer's consumer goods are sold

The Song-Beverly Consumer Warranty Act provides that where a manufacturer making express warranties does not provide service and repair facilities in the state, a buyer of nonconforming goods has the option of returning the goods to the retail seller thereof for replacement, service, or repair or to any retail seller in the state of like goods of the same manufacturer for replacement, service, or repair

This bill would furnish a buyer with the further option of securing the services of an independent service or repair facility for the service or repair of nonconforming goods with the manufacturer being liable to the buyer or the independent serviceman, upon an assignment of the buyer's rights, for the reasonable cost of repair services

The further option would be available to the buyer only after the buyer has sought relief under either of the existing options and appropriate relief has not been furnished to the buyer. In no event would this further option be available with regard to goods of less than \$50

The bill would provide, once the independent service or repair facility accepts, that the buyer is not responsible for service or repair costs of nonconforming consumer goods. The service or repair facility could only hold the manufacturer liable.

The bill would require a manufacturer of goods of \$50 or more to furnish written notice to the buyer of the options available to him under existing law and under the bill

This bill would furnish a retail seller with the option of repairing or servicing nonconforming goods itself or directing the buyer to a reasonably close independent service or repair facility

The Song-Beverly Consumer Warranty Act makes a manufacturer making express warranties liable to any retailer who performs services or incurs obligations in giving effect to such warranties and specifies the amount of such liability. It also provides that any retailer of consumer goods injured by a willful or repeated violation of the act may bring an action for the recovery of damages and may recover three times the amount of actual damages assessed

The bill would authorize a manufacturer to enter into warranty service contracts of one year's duration with independent servicemen at a fixed schedule of rates which are in conformity with the actual and reasonable cost of service and repair, including the cost for parts, reasonable cost for transporting the goods and a reasonable profit. The manufacturer's liability to the independent serviceman for warranty work shall be governed in such cases by such contracts. In all other cases, the bill would provide the same liability for a manufacturer as respects services performed or obligations incurred by an independent serviceman and would provide the same remedies for an independent serviceman as is presently provided for a retailer

The bill would define "place of business" and "return to seller" where the retailer sells goods by catalog or mail order.

Ch 417 (SB 729) Dunlap. Mobilehome parks: managers

Under existing law, all mobilehome parks are required to have a person available who is responsible for the operation and maintenance of the mobilehome park.

This bill would require in all mobilehome parks with 50 or more units that the person, or his or her designee, reside within the mobilehome park and have knowledge of emergency procedures relative to utility systems and common facilities under the ownership and control of the owner of the mobilehome park

Ch 418 (SB 863) Zenovich Optometry

Existing law defines the practice of optometry as the doing of certain acts related to the eye. This definition does not permit the use of drugs.

This bill would revise the acts that constitute the practice of optometry. It would, among other things, include the prescribing, fitting, or adaptation of spectacle lenses in such definition and would permit the use of topical pharmaceutical agents in the examination of the eye for any disease or pathological condition.

The bill would require the Board of Optometry, with the advice and consent of the Division of Allied Health Professions of the Board of Medical Quality Assurance, to specify those pharmaceutical agents that may be used. The bill would also require the board with the advice and consent of the division to adopt rules and regulations to insure professional competence in the use of such agents and would require optometrists to complete a course of study and pass an examination at a specified maximum fee, before using such agents.

The bill requires that after January 1, 1980, an optometrist must complete specified educational and examination requirements relating to the use of such agents as a condition for the issuance of an original certificate to practice optometry.

Existing law prescribes the various acts which constitute grounds for revocation or suspension of a certificate of registration to practice optometry, including various acts of unprofessional conduct.

This bill would add that failure to refer a patient to a physician where examination of the eyes indicates a substantial likelihood of any pathology which requires the attention of the appropriate physician shall constitute unprofessional conduct.

Ch 419 (SB 872) Garcia. Public assistance.

Under the current aid to the potentially self-supporting blind program (APSB) certain net income not exceeding \$1,500 plus one-half of the amount over \$1,500 of the recipient is exempt for the purposes of determining eligibility or the amount of the grant.

This bill would increase such exemption to \$2,400 plus one-half of the amount over such amount.

This bill would provide that neither appropriation is made nor obligation created for reimbursement of any local agencies for any costs incurred by it pursuant to the act.

Ch. 420 (SB 1232) Nejedly. Peace officers: Bay Area Rapid Transit District.

Under existing law, the Bay Area Rapid Transit District may employ a suitable security force, the members of which are peace officers. The district is required to adhere to the standards for recruitment and training of peace officers established by the Commission on Peace Officer Standards and Training, but is not entitled to reimbursement for the costs of training as are various other local agencies.

This bill would provide for the employment of a police department rather than a security force by the district, thereby making the district eligible for such reimbursement. Such officers would also be placed, by virtue of such change in nomenclature, in a different category for retirement purposes.

Under existing law, the peace officer powers of such security officers extend to any place in the state as to a public offense respecting persons or property protected by such officers. Such officers as peace officers do not come within various provisions of law relating to assault or battery upon a peace officer, the possession of destructive devices or tear gas, and various other provisions of law applying to "policemen" or narrowly defining in the term "peace officer" for various purposes. This bill would recast the powers of such officers as peace officers to include them in such provisions, except those relating to assault and battery on a peace officer, and to provide authority at any place in the state, with their primary duties being generally the enforcement of the law in or

about district properties while engaging in necessary duties with respect to the district

This bill would also specify that no appropriation is made for increased retirement employer costs because the district has requested this bill

Ch. 421 (SB 1471) Rodda. Public school employer-employee relations

Chapter 961 of the Statutes of 1975 will, among other things, operative July 1, 1976, repeal the Winton Act, which contains existing statutes governing employer-employee relations at the elementary and secondary levels in the public school system, including community colleges. In its place, Chapter 961 will enact provisions to govern these matters. One aspect of the new statutory system specifies practices of a public school employer and of an employee organization which are unlawful.

This bill would amend the provisions of Chapter 961 of the Statutes of 1975 to make some technical, nonsubstantive changes, and would change the operative date of the provisions specifying unlawful practices of a public school employer and of an employee organization, and authorizing the filing of unfair labor practice charges within six months of occurrence, from July 1, 1976, to April 1, 1976. However, the Educational Employment Relations Board, the administering agency under Chapter 961, would be prohibited from investigating, hearing, or taking other action on such charges or other alleged violations until July 1, 1976, if additional funds are not appropriated to the board for the 1975-76 fiscal year.

This bill would take effect immediately as an urgency statute.

Ch. 422 (SB 1477) Presley. School library districts bond financing

Existing law provides for the issuance of bonds by the board of trustees of any union high school or unified school district library district.

This bill would provide that bonds shall be sold in the manner prescribed by the board of supervisors, but not less than 95% of par, rather than not less than par.

This bill would authorize the board of supervisors to divide the principal amount of any issue of bonds into two or more series, fix different dates of payment for each series, and provide for redemption of bonds before maturity at prices determined by it.

This bill would provide a procedure whereby the board of trustees of the library district may request the board of supervisors to cause any unsold bonds to be issued and sold, with the proceeds used for any or all of certain specified purposes, if it is first determined that the purpose and object of the bonds has been accomplished.

Ch. 423 (SB 1639) Dunlap. Property taxation: assessment open-space lands maps or plats

(1) Under existing law, in assessing certain enforceably restricted open-space lands, other than commercial timberland, the assessor is precluded from considering sales data of comparable properties. Instead, in valuing the property by normal assessment procedures, the assessor must use a specified method which capitalizes the income-producing capabilities of the land.

This bill would provide that if the parties to an instrument enforceably restricting the land stipulate in the instrument to an amount constituting the minimum annual income to be capitalized, notwithstanding other provisions of law, the income to be capitalized shall not be less than the amount so stipulated. The bill would also delete a requirement that tax officials impute income to land in certain cases.

(2) Existing law prescribes procedures for the annexation of territory by a city.

Under existing law changes in boundaries of cities annexing territory are not effective for purposes of local assessment and taxation for the fiscal year beginning on the following July 1, unless various statements, resolutions, maps, and plats regarding the boundary changes had been filed by January 1. Instead, provision is made to enable such entities to borrow funds for their support during such fiscal year.

The bill would also permit cities annexing territory in 1975 to have such annexation effective for property tax purposes for the 1976-77 fiscal year if the required documents are filed on or before January 15, 1976.

Existing law continuously appropriates funds to compensate local governments for property tax revenues lost by reason of the homeowners' property tax exemption.

This bill, by authorizing additional property taxes for the 1976-77 fiscal year, would alter this existing appropriation.

The bill would take effect immediately as an urgency statute.

Ch. 424 (SB 2057) Russell. Limited partnerships.

Existing law provides that a writing to amend or cancel a certificate of a limited partnership, among other things, be signed and acknowledged by all members.

This bill would provide that the signing of such writing by a limited partner may be in person or for him by an attorney in fact, who may, but need not be, a member of the partnership.

Ch 425 (SB 2074) Mills Railroads.

Under existing law, a city or county or a city and county may establish speed limits for trains, unless such limits conflict with regulations of the Public Utilities Commission. Under existing law, there is no requirement that such speed limits be approved by the Public Utilities Commission.

This bill would provide that, effective January 1, 1978, no such ordinance which establishes a limit on the speed of passenger trains would be valid unless it has been approved by the Public Utilities Commission.

Ch 426 (SB 2081) Presley. Public social services.

Under current law, the county pays a share of the state supplementary program and the Medi-Cal programs adjusted by the ratio of the county's modified assessed value and such value in the base year. The modified assessed value is defined to include the product of factors used for property valuation for allocation of money to school districts times the sum of taxable and certain exempt assessed value of county-assessed property.

This bill would require that the average of such factors for the property valuation for the current year with such factors for the two immediately preceding years be used in the definition of modified assessed value for the adjustment of such county share.

The bill would become effective immediately as an urgency statute.

The bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the act.

Ch 427 (AB 1135) Keene Public liability: immunization.

Under existing law, there is no provision exempting public entities and employees participating in the National Influenza Program of 1976, a federal immunization program, from liability for damages in connection with a community program conducted pursuant to such federal law.

This bill would exempt any public entity, public employee, licensed health facility, or volunteer, participating in the National Influenza Program of 1976, from liability for damages arising from the administration of vaccine in a community program, the promotion of a community program, or the residual effects of the vaccine.

Such exemption would not apply in the event of an act or omission which constitutes willful misconduct.

All promotions of a community program and oral and written information provided for purposes of consent to a person requesting inoculation would be required to contain notice of such exemption. In the event the person to be inoculated is a minor, parent or the legal guardian of the minor would be required to be informed orally or in writing of such exemption and the parent or legal guardian would be required to consent in writing to the inoculation of the minor person.

This bill would take effect immediately as an urgency statute.

Ch 428 (AB 1425) Robinson. Workers' compensation and rehabilitation

Existing law provides for a rehabilitation unit within the Division of Industrial Accidents with specified functions regarding rehabilitation of injured workmen.

This bill would specify that nothing in this provision shall apply to any workman whose injury occurred prior to January 1, 1975, and that such persons shall continue to be governed by prior provisions of law.

The existing law does not include juveniles engaged in rehabilitative work under certain circumstances and without pay within coverage for workers' compensation benefits, except where such juveniles are a ward of the juvenile court.

This bill would provide that juvenile traffic offenders or juvenile probationers, or both, engaged in such rehabilitative work without pay shall be entitled to certain workers' compensation benefits upon the adoption of a resolution of the board of supervisors to

that effect

Ch. 429 (AB 1916) Keyser Political parties; elections.

(1) Present law prescribes requirements to be met by a political party before it may participate in a primary election; however, existing law does not require as a prerequisite to meeting such requirements that a newly formed political party must first form a political body.

This bill would require, whenever a group of electors desires to qualify a new political party, to first form a political body by undertaking certain action, including, but not limited to, filing with the Secretary of State a prescribed notice. The bill would also require the Secretary of State, upon receipt of such notice, to notify each county clerk of the intent to qualify a new political party. The county clerks would then be required to tabulate political affiliations from the affidavits of registrations. The Secretary of State would be required, upon request by a political body, to count towards qualification of a political party voters declared in the affidavits of registration to be affiliated with the political body.

(2) Present law requires the Republican Party and other qualified political parties for which presidential primary provisions are not expressly provided for to conduct their presidential primary in accordance with specified provisions applicable to all political parties, except the Democratic Party.

This bill provides that any newly qualified political party may select procedures already provided by statute for any political party, and its temporary officers must file the selection with the Secretary of State. It also provides that such political parties may select procedures for its presidential primary already provided by statute for any political party.

(3) Existing law provides for a series of drawings conducted by the Secretary of State to select a randomized alphabet for the determination of the order of candidates' names on the ballot at various elections.

This bill would revise the date for the drawing preceding the November general election, and revise the procedure to be used when a local election is held on one of the 6 major election dates.

(4) Existing law allows a voter to receive a new ballot only once if he spoils or defaces his ballot.

This bill would raise the limit on the number of new ballots a voter may receive if he spoils or defaces the previous one from one to two. The bill would also make various technical changes with regard to ballots.

This bill would also provide that neither reimbursement nor an appropriation is made by this act to local agencies for costs incurred by them pursuant to this act for special reasons.

This bill would take effect immediately as an urgency statute

Ch. 430 (AB 1938) Knox Solid waste: enterprises.

Under existing law, a city, in an annexation or incorporation of an area, is required to permit persons operating under county franchises, licenses, or permits for refuse collection and disposal services to continue such services for 3 years if the service meets quality and frequency of service in other areas of the city.

This bill would repeal such existing law. The bill would allow any county, city and county, city, or special district which has authorized, by franchise, contract, or permit, a solid waste enterprise to provide solid waste handling services, to permit such solid waste enterprise previously providing such services for more than 3 years to continue to provide such services up to 5 years, or the unexpired term of an exclusive contract or franchise or 5 years, whichever is less, if (1) there is substantial compliance with the terms and conditions of the franchise, contract, license, or permit, (2) quality and frequency of service required by the local agency in other areas not served by the enterprise are met, and (3) the rates charged may be periodically reviewed and set by the local agency.

The bill would not affect the right of a city, following annexation, to terminate for cause a county franchise, contract, or permit held by a solid waste enterprise.

The bill would provide that no appropriation would be made nor obligation created for the reimbursement of local governmental agencies for any costs incurred by them under the bill for a specified reason.

Ch. 431 (AB 2371) Boatwright Property taxation delinquent penalties: cancellation

Under existing law a 6-percent penalty is imposed on property taxes which are not paid prior to becoming delinquent; and there is no provision for the cancellation of a penalty

This bill would authorize the tax collector or the auditor to cancel a delinquent penalty on the property, with the approval of the board of supervisors on a finding that the delinquency was due to reasonable cause and circumstances beyond the assessee's control, and occurred notwithstanding the exercise of ordinary care and in the absence of willful neglect, provided the payment is made within 90 days of the first delinquency date or within 30 days after the second delinquency date.

Ch. 432 (AB 2374) Torres. Disability insurance: licensed clinical social workers.

Existing law specifically prohibits the exclusion from coverage of services of certain psychologists for an individual under a health care service plan, but does not specifically prohibit the exclusion from coverage of services of certain licensed clinical social workers for an individual under a health care service plan, a policy of disability insurance, a self-insured employee welfare benefit plan, or a hospital service contract

This bill would delete the existing prohibition of exclusion from coverage of services of certain psychologists for an individual under a health care service plan, and would prohibit such an exclusion if based upon a referral by a licensed physician and surgeon in such policies, plans and contracts entered into, issued, delivered, or amended in this state on or after the effective date of this act.

This bill would incorporate additional changes in Section 1373 of the Health and Safety Code, proposed by Assembly Bill 3371, to be operative only if Assembly Bill 3371 and this bill are both chaptered and become effective January 1, 1977, and this bill is chaptered last.

Ch 433 (AB 2425) Campbell Special education: contracts.

Under current law, a school district with an average daily attendance of 400,000 or more may contract with a county superintendent of schools or another school district to provide certain special education services

This bill would extend such authorization to contract to any two or more school districts in Los Angeles County having a combined average daily attendance of 40,000 or more, which jointly or cooperatively maintain programs under a joint powers agreement, and which have an average assessed valuation per unit of average daily attendance equal to or less than the countywide average.

Ch 434 (AB 2403) Sieroty. Certificate of rehabilitation.

Present law provides that any person convicted of a felony and released from a state prison or any other state penal institution in California and that has not been incarcerated in any state penal institution since his release, may petition for a certificate of rehabilitation and pardon. Any person filing such a petition must produce evidence of 3 years of residency in this state immediately prior to filing the petition

The bill includes within such provisions, with certain exceptions, any person convicted of a felony who was placed on probation and who has fulfilled the conditions of probation for the entire period of probation, or has been discharged prior to the termination of the period of probation, or in the interests of justice should be granted certain relief.

The bill would also require certain notice to defendants of the right to file for a certificate, and would make other procedural changes.

The bill would also provide that no appropriation or reimbursement is made by this act to local agencies because of specified reasons.

Ch 435 (AB 2433) Antonovich Child abuse and neglect

Under existing law child abuse is a crime and the federally funded Office of Child Abuse Prevention in the State Department of Health is required to establish regional family crises centers on a pilot basis for the prevention, identification, and treatment of child abuse in conjunction with designated agencies and to make every attempt to qualify such projects for federal funding under Public Law 93-247

This bill would require the establishment and operation by an institution selected by

the Director of Health of 2 child abuse pilot project centers, one to be located in southern California and one in northern California, providing specified services.

This bill would require the Director of Health to perform designated functions including the establishment of standards for the expenditure of state funds provided for the establishment and support of the centers.

This bill would authorize such centers to seek, receive, and use other funds to augment any state funds appropriated therefor and would require such centers to attempt to qualify for federal funding under Public Law 93-247.

This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to this bill.

This bill would also appropriate \$200,000 to the Director of Health for the purposes of this act.

This act would take effect immediately as an urgency statute and would become operative on July 1, 1976. It would remain in effect until July 1, 1978

Ch 436 (AB 2743) Dixon Arrest: time of night.

Existing law prohibits the making of misdemeanor and infraction arrests between 10 p.m. and 7 a.m. except as specified

This bill would permit the making of such arrests between 6 a.m. and 7 a.m.

Ch. 437 (AB 2864) McAlister. Attachment law

Under the attachment law, an attachment may issue only against a defendant engaged in a trade, business, or profession

This bill would permit an attachment to issue against a corporation or a partnership or unincorporated association without regard to whether the defendant was engaged in a trade, business or profession. Where the defendant is an individual, this bill would require the claim to have arisen out of the conduct by the individual of a trade, business, or profession and that the subject of the contract was not used primarily for personal, family, or household purposes.

Under the attachment law, where the defendant is an individual sued for his individual liability as a partner, only his property used or held for use in the partnership's trade, business, or profession is subject to attachment.

This bill would eliminate that limitation.

Under the attachment law, where the defendant is an individual, only money on the premises where he conducts a trade, business, or profession and his deposit account, subject to limitations, are subject to attachment.

This bill would provide, instead, that in addition to money located on the business premises, all but \$1,000 of the individual's deposit account and money located other than on the business premises is subject to attachment.

Under the attachment law, where the defendant is an individual, all of his real property is subject to attachment.

This bill would exempt leasehold estates with an unexpired term of less than one year

Under the attachment law, the court may issue an order directing the defendant to transfer possession of property sought to be attached to the levying officer

This bill would authorize an order directing the defendant to transfer possession of any document or evidence of title to the levying officer.

This bill would also make related changes.

Ch. 438 (AB 3055) Wilson. Mobilehome park tenancies.

Existing law requires that the management of a mobilehome park provide tenants with the language in written form of specified statutory provisions of law governing mobilehome park tenancies.

This bill would extend this requirement to include providing tenants with the language in written form of all statutory provisions of law specifically governing mobilehome park tenancies.

Existing law contains no provisions governing the display of "for sale" signs by mobilehome park tenants in mobilehome parks advertising the sale of mobilehomes

This bill would authorize a park tenant to advertise the sale, exchange, rental, or lease, if the rental or lease is not prohibited by the park agreement of a mobilehome by the display of a sign in the window of the tenant's mobilehome disclosing certain permissible

information

Existing law provides that the ownership or management of a mobilehome park, except as specifically provided, shall not be denied the right to require prior approval of a purchaser of a mobilehome to remain located in the park

This bill would require the selling tenant or his agent to give notice of the sale to the ownership or management of the park prior to the close of the sale.

Ch. 439 (AB 3113) Greene Professional engineers.

Under existing law the practice of civil, electrical, or mechanical engineering is prohibited in the absence of registration. The law does not prohibit, however, registered civil, electrical, or mechanical engineers from practicing or offering to practice such engineering through the medium of a partnership, firm, or corporation under certain circumstances. Partnerships, firms, or corporations engaged in rendering civil engineering services, or professional engineering services, which were lawfully in existence on September 30, 1947, or partnerships, firms, or corporations engaged in rendering electrical or mechanical engineering services which were lawfully in existence on December 31, 1967, are not required to be registered, and the use of the name of any such business entity is not prohibited, under certain circumstances.

This bill, in addition, would extend such registration exemption to any such partnerships, firms, or corporations which lawfully are in existence

Ch 440 (AB 3236) Dixon. Juvenile court law: Youth Authority commitments.

Existing law authorizes commitment of delinquent wards to the Youth Authority only upon a specified proceeding for the modification of an order of the juvenile court.

This bill would repeal that law

Existing law authorizes, as an alternative to specified treatments for minors adjudged wards for violating laws defining crimes or for violating, while a ward, orders of the juvenile court, commitment to the Youth Authority.

This bill would restrict such alternative Youth Authority commitments, to minors found to have violated laws defining crimes

This bill would also make additional changes in Sections 730 and 731, Welfare and Institutions Code, proposed by SB 2172, to be operative only if this bill and SB 2172 are both chaptered and effective January 1, 1977, and this bill is chaptered after SB 2172

Ch 441 (AB 3283) McVittie. Elections: county central committees.

Existing law provides for the Democratic county central committee of 21 members elected by supervisorial districts in a county containing less than five Assembly districts.

This bill would provide that in a county of the seventh class the Democratic county central committee shall consist of seven members elected from each Assembly district, wholly or partly within the county, provided each such member is a resident of the county. It would also provide that only a person who is a resident of the county may vote for candidates for membership to such central committee.

Ch 442 (AB 3450) William Thomas. Public social services

Under the current aid to families with dependent children program, counties are required to verify an applicant's eligibility for advance aid within five working days.

This bill would provide that the county shall have 15 working days in which to determine eligibility for such assistance.

The bill would become operative on July 1, 1977.

Ch 443 (AB 416) Warren. State tax: emergency telephone users tax

(1) Existing law requires the establishment, by December 31, 1982, of a basic or sophisticated system whereby a three-digit telephone emergency number through which emergency services can be obtained. Such system contains a referral method whereby a requesting party is provided with the telephone number of the appropriate provider of public services

This bill would limit such requirement to provide that only a basic system be established by December 31, 1984, and would limit the use of the referral method to nonemergency situations

This bill would also require the Communications Division of the Department of General Services to review and update technical and operational standards for such

public agency systems

(2) Existing law requires that all pay telephones in the emergency system enable a caller to dial 911 for emergency services by December 31, 1982.

This bill would postpone such requirement until December 31, 1984.

(3) Existing law does not provide for the creation of the Advisory Committee on the State Emergency Telephone Number.

This bill would create such committee in the Department of General Services and would require the Division of Communication to provide staff services to such committee. Such committee would consist of 9 members, who would receive no compensation for their services, but would be reimbursed for actual and necessary expenses incurred in the performance of their duties.

Such commission would evaluate requests from local agencies for state assistance for incremental costs of such emergency system, and would recommend when appropriation for reimbursement to such local agency should be made

(4) Existing law requires all public agencies to submit final plans for the establishment of the system by January 31, 1977.

This bill would, instead, require the submission of such plans by July 1, 1978, and would further require such agencies to place a firm order to the utility providing telephone service to such agency on or before July 1, 1979, and make arrangements for the implementation of such system no later than December 31, 1984.

(5) Under existing law, there is no state surcharge imposed on persons using telephone services.

This bill would impose a surcharge on amounts paid by every person in the state for intrastate telephone communication services in this state, commencing on July 1, 1977, at a specified percentage of the charge for such services to and including November 1, 1978, and thereafter at a rate fixed by the State Board of Equalization, subject to prescribed limitations.

(6) This bill would appropriate \$1,222,000 from the General Fund to the Department of General Services, for the 1976-77 and 1977-78 fiscal years, for specified purposes

(7) This bill would take effect immediately as a tax levy.

Ch. 444 (AB 3070) Brown. Longshoremen's and harbor workers' insurance

Existing law permits the State Compensation Insurance Fund to insure employers against their liability for compensation or damages under the United States Longshoremen's and Harbor Workers' Compensation Act, or other federal or maritime laws, when written incidental to and in connection with workers' compensation in this state, as fully as any private insurer.

This bill would, instead, permit the state fund to insure California employers against their liability for compensation or damages for injury or death occurring outside this state under the Workers' Compensation Law of any other state under specified conditions, the Longshoremen's and Harbor Workers' Compensation Act, or other federal or maritime laws with respect to operations carried on principally within the borders of this state, as fully as any private insurer.

Existing law requires the Insurance Commissioner to approve or issue a classification of risks and premium rates relating to workers' compensation insurance.

This bill would also require the commissioner to approve or issue a classification of risks and premium rates relating to United States longshoremen's and harbor workers' insurance.

This bill would add provisions which require that the assets, premiums, reserves, investment income, and property acquired by the fund from its transaction of insurance pursuant to the Longshoremen's and Harbor Workers' Compensation Act be maintained in separate accounts and records from that acquired pursuant to its transaction of workers' compensation insurance, and requires that joint or shared use of office space, supplies, and equipment be charged to each class of insurance on an equitable and proportional basis. The bill's provisions would be effective for 2 years and thereafter would have no further force or effect

This bill would appropriate \$2,000,000 from the Harbors and Watercraft Revolving Fund as a loan to the State Compensation Insurance Fund for a period of five years for purposes of the act, with repayment to include the principal plus interest, and with repayment permitted from the General Fund if repayment of the loan cannot be made from premiums charged for insurance coverage

The bill would take effect immediately as an urgency statute

Ch. 445 (AB 3361) Lanterman. Juveniles—mentally disordered: treatment and evaluation

Existing law: prohibits contact between certain institutionalized minors and adults and between certain institutionalized dependent children or wards of the juvenile court and certain adults institutionalized as mentally disordered sex offenders or under charges of committing a sex offense for which registration of the convicted offender is required; but excludes from such proscribed contact, participation in supervised group therapy or other supervised treatment activities

This bill would also exclude from such proscribed contact, participation in hospital recreational activities, as specified.

Existing law authorizes transfer of a mentally disordered person in a jail to a local health facility under the Lanterman-Petris-Short Act.

This bill would include therein mentally disordered juveniles in a juvenile detention facility, as defined, and would make related changes in the provision authorizing juvenile courts, before or during a hearing on a petition and under specified conditions re the mental health of a minor, to order temporary transfer to a specified mental health ward for observation and recommendation.

This bill would also provide for voluntary commitments for specified mental health services by a minor declared to be within the jurisdiction of the juvenile court, as specified

This bill would take effect immediately as an urgency statute

Ch. 446 (SB 1322) Greene Workers' compensation: medical payments.

Existing law requires that all expenses reasonably, actually, and necessarily incurred for X-rays, laboratory fees, medical reports, and medical testimony to prove contested workers' compensation claim, shall be paid by the employer.

This bill would require that the unpaid billed portion of such medical expenses and fees be increased by 10 percent, plus interest, when not paid with 60 days after receipt by the employer of each separate written billing for, and all required reports and documents incident to, such services. Where the employer contests the reasonableness and necessity for incurring such fees and expenses, payment shall be made within 20 days of an appeals board order directing payment, with an increase of 10 percent for late payment when requested by the employee.

This bill would take effect immediately as an urgency statute, and become operative on the 91st day after being signed by the Governor

Ch. 447 (AB 2739) Maddy Hospitals tort claims, state loans.

Under existing law, a hospital district organized under the Local Hospital District Law is not able to obtain state loans for the payment of a medical injury tort claim against the district

This bill would authorize the state, subject to the availability of moneys appropriated therefor, to make loans for a period not exceeding 40 years and at an interest rate not exceeding the five-year average of the return on the investment of state funds to a hospital district having under 100 beds which has entered into a joint powers agreement in conjunction with the Chowchilla Memorial Hospital District. For 5 years from the effective date of the bill, such hospital district would have the right, subject to the availability of moneys appropriated therefor, to borrow from the state to pay that portion exceeding \$300,000 of a medical injury tort judgment or settlement against such a hospital district. However, as a condition of eligibility for such loans, the bill would require the filing of prescribed information with the State Department of Health within 60 days of the effective date of the bill by each participating hospital district having a licensed bed capacity of under 100 beds.

The bill prohibits the aggregate amount of funds loaned by the state to all such hospital districts under this bill from exceeding \$1,000,000.

The bill would require the State Department of Health to prepare and adopt regulations establishing specific criteria for approval of loan applications by hospital districts under the bill in order to ensure that hospital districts comply with specified legislative intent.

The State Department of Health would be required to make its final recommendation to the Legislature with respect to the approval or disapproval of a loan within 120 days

after submission of the loan application, in order to assist the Legislature in determining whether to appropriate funds for the making of the loan, and to notify the hospital district of its tentative decision to recommend approval or disapproval of the loan within 90 days after receiving the application.

The bill would provide that such loans shall be made from the Rural California Professional Liability Loan Fund in the event AB 2865 is chaptered, upon creation of such fund by the State Controller.

The bill would declare that the Legislature finds that a special statute is needed and that a general statute cannot be made applicable.

The bill would take effect immediately as an urgency statute.

Ch. 448 (SB 1531) Presley. Municipal water district promissory notes

Existing law authorizes a municipal water district to issue negotiable promissory notes for the purpose of acquiring funds to finance the construction or acquisition of administrative offices, construction headquarters, commercial offices, or facilities for similar district purposes and for the acquisition of land for district purposes in an amount which may be at least \$50,000, but which may not exceed the lesser of 1% of the assessed valuation of the district or \$500,000.

This bill would increase the maximum limit on the amount of such notes which may be issued to the lesser of 1% of the assessed valuation or \$1,500,000, but would specify that no more than 50 percent of the increased borrowing capacity available to the district pursuant to the bill may be used for land acquisition purposes.

Ch. 449 (SB 1596) Presley. Asbestos: buildings and structures.

Existing law prohibits any person, on and after July 1, 1975, from spraying any substance containing more than $\frac{1}{2}$ of 1% asbestos, except cold process cutback asphalt roof coatings, in or upon a building or structure during its construction, alteration, or repair; and, on or after July 1, 1976, prohibits such spraying of any substance containing any amount of asbestos, except cold process cutback asphalt roof coatings.

This bill would revise the exemption to also exclude portland cement plaster containing less than $\frac{1}{2}$ of 1% asbestos, and exterior and interior coatings and laminating resins containing encapsulated asbestos fibers bound within the finished product, from such asbestos spraying prohibitions until July 1, 1978.

This bill would take effect immediately as an urgency statute

Ch. 450 (SB 2126) Nejedly. Schools: camps. fees. school buildings

Under current law, governing boards of school districts may undertake a wide variety of educational programs, including the operation of school camp programs

This bill would permit the governing boards of elementary, high, and unified school districts to charge a fee for school camp programs, provided that such fee is not mandatory and that no pupil is denied the opportunity to participate because of nonpayment of the fee. This bill would also prescribe a limit upon the amount of the fee.

Under existing law, "school buildings," as defined, are required to conform to certain structural standards prescribed pursuant to the so-called Field Act.

This bill would exempt from such requirements any building which is used by a school district for classes or programs in outdoor science, conservation, and forestry, and which does not occupy the same site as any school of the district.

Ch. 451 (AB 3004) Antonovich. Juveniles.

Existing law: provides that the board of supervisors of any county with a population of 5,000,000 or more may provide for a pilot project consisting of a juvenile court school to provide for the special education needs of wards and dependents of such court; authorizes probation officers to certify to the county board of education and the Superintendent of Public Instruction the fitness of persons employed or to be employed by a qualified private organization contracting to provide vocational training courses at the pilot project school, to instruct and train juvenile court wards in such vocational training courses, provides that such project will end January 1, 1977; and requires the Legislative Analyst to report to the Legislature on the success of the pilot project.

This bill would revise the fitness certification provision to authorize such certification also of persons employed by or to be employed by the probation officer, to expand the

services specified as performed under such contract, to vocational training, as well as vocational training courses, provided in connection with, as well as at, the pilot project school, and to specify that such fitness is for providing juvenile court wards such vocational training, extend the termination date of the project to January 1, 1978; and extend the due date for the report of the Legislative Analyst to January 1, 1977

The bill would take effect immediately as an urgency statute.

Ch 452 (AB 3252) Vicencia. Motor vehicles: length limitations; exemption; motor-trucks.

Existing law imposes a general length limitation of 40 feet for motor vehicles but exempts from such limitation certain vehicles, including a semitrailer while being towed by a truck tractor having certain characteristics.

This bill would make such exemption applicable to semitrailers while being towed by a motortruck having the same characteristics.

Ch 453 (SB 1762) Robbins. Statistical analyses: San Fernando Valley.

Existing law does not recognize San Fernando Valley as a separate entity for purposes of statistical analyses.

This bill would require the Department of Finance, the State Department of Health, and the Department of Transportation, which prepare and maintain specified statistical analyses by city, to make a separate breakdown of the San Fernando Valley as described, provided that the City of Los Angeles continue to provide all necessary data, and would permit any other state department to voluntarily supply such statistical data

The bill would also authorize the State Controller, upon request by the City Council of Los Angeles, to designate additional statistical areas within the City of Los Angeles, up to a maximum of three.

This bill would provide, for specified reasons, that notwithstanding certain provisions of the law, there shall be no reimbursement or appropriation made by this bill to local agencies.

Ch. 454 (SB 716) Way Kings County Water District: tax levies.

Existing law provides for the levy of taxes on all the property within a county water district, or an improvement district in a county water district, at rates sufficient to raise the amount necessary to pay all charges, claims, expenditures, expenses, and principal and interest on bonded indebtedness and other indebtedness. Existing law also limits such tax rate to that amount levied in the district during the 1971-72 or 1972-73 fiscal years unless authorized by a vote of the people, or if no such tax was then levied, to \$0.50 per \$100 of the assessed valuation per year

This bill would authorize the Board of Directors of the Kings County Water District to establish by ordinance special rates of taxation for relatively low water using, nonfarm, heavy manufacturing industries located entirely within the district and upon which the regular tax rate may bear unfairly relative to benefits received from the district as compared to other taxpayers in the district

~~(2) Existing law grants the homeowners' property tax exemption in the amount of \$7,000 of the full value of qualified dwellings and continuously appropriates state funds for subventions to local government to compensate for property tax revenues lost by reason of such exemption~~

~~This bill would increase the amount of such appropriation by authorizing an increased rate of property tax.~~

~~(3) * The bill would take effect immediately as an urgency statute.~~

Ch 455 (SB 1168) Presley Criminal trials

Present law provides for state reimbursement to counties for the costs of trial based upon indictment for prison escape or conspiracy to escape from the custody of the Department of Corrections filed between November 1, 1970, and June 30, 1971

The bill would appropriate \$225,000 from the General Fund to the Director of Finance for allocation and disbursement to counties for trials based upon indictment for prison escape or conspiracy to escape the custody of the Department of Corrections for indictments filed between October 6, 1972, and October 6, 1973

Ch. 456 (SB 1374) Berryhull. Irrigation consultants.

Under existing law, persons who perform certain services related to the design of landscape irrigation must hold a certificate as a landscape architect.

This bill would, until January 1, 1979, exempt those persons who perform irrigation consultation, as defined, from the requirement that they hold a certificate as landscape architects.

This bill would state a legislative intent that a thorough study be made and that a report be made to the Legislature within 1 year of the effective date of the bill regarding the subject matter of the bill.

Ch. 457 (SB 1749) Russell. Alcoholic beverages: club licenses

Existing law contains various definitions of "club" for purposes of club licenses for the sale and service of alcoholic beverages for consumption within the licensed premises to bona fide club members and their bona fide guests, including, among others, any swimming club which maintains a standard AAU swimming pool and not less than two regulation tennis courts, together with the necessary facilities and clubhouse, or any tennis club which maintains not less than five regulation tennis courts, together with the necessary facilities and clubhouse, and which swimming club or tennis club has 200 members or more paying regular monthly dues and which has been in existence for not less than two years.

This bill would add to the above definitions any tennis club which maintains not less than four regulation tennis courts together with the necessary facilities and clubhouse, and which has 90 members or more paying regular monthly dues and which has been in existence for not less than forty-five years and is not associated with a real estate development, a community apartment project, a project consisting of condominiums or a mobilehome park as these terms are defined. It would also make it unlawful for any such tennis club to make any discrimination, distinction, or restriction against any person on account of such person's color, race, religion, ancestry, national origin, sex, or age.

Ch. 458 (AB 2261) Priolo. Landscape architects.

Under existing law, the application fee for examination as a landscape architect is not to exceed fifty dollars.

This bill would increase the maximum examination application fee to seventy-five dollars.

This bill would take effect immediately as an urgency statute.

Ch. 459 (AB 2470) MacDonald. Property taxation: maximum rates: harbor districts.

Under existing law, the maximum basic property tax rate which may be levied by a special district for which no such rate is otherwise prescribed is the rate levied by the district for either the 1971-72 or the 1972-73 fiscal year, at the option of the district's governing body.

This bill would establish as the basic maximum property tax rate of a harbor district the amount as provided above or 3 cents per \$100 of assessed valuation, at the option of the governing body.

Existing law also provided for the reimbursement of local agencies for funds lost by them because of homeowners' property tax exemption, the amount of the reimbursement being based on the tax rate of the agency.

Any increased property tax rate arising from the enactment of this bill would effectuate statutory provisions appropriating funds for the required reimbursements.

Ch. 460 (AB 2519) Suitt. Alcohol: club license.

Existing law authorizes the issuance of a club license for the sale of alcoholic beverages to specified organizations.

This bill would authorize the Department of Alcoholic Beverages Control to issue a club license to certain stockmen's organizations.

Ch. 461 (AB 2765) Lancaster. Property taxation. additional rate: street lighting.

Existing law establishes maximum property tax rate limits for local agencies

This bill would permit a special district which (1) provided street lighting in the 1972-73 fiscal year, (2) was in existence on January 1, 1976, and (3) has as its only purpose the provision of street lighting services to levy a property tax rate, in addition to the

otherwise permissible rate, to pay for the cost of electricity not obtained by the otherwise permissible maximum rate and would require the reduction of such property tax rate if the cost of electricity is reduced by a certain amount

Existing law also provides for the reimbursement of local agencies for funds lost to them because of the homeowners' property tax exemption, the amount of the reimbursement being based on the tax rate of the agency

Any increased property tax rate arising from the enactment of this bill would effectuate statutory provisions appropriating state funds for those reimbursements.

To take effect immediately, urgency statute.

Ch. 462 (AB 2133) Keene. Wetlands, wildlife management: acquisition, preservation.

Under existing law, fees, rentals, and other returns received by the Department of Parks and Recreation for the use of any state park system area, other than from the use of boats or boating facilities, and not exceeding \$7,000,000 in any one fiscal year, are paid into the Collier Park Preservation Fund and are available only for the acquisition, planning, and development of state park system projects.

Under existing law, the Department of Parks and Recreation has responsibility for the administration of waters lying within the state park system and the Department of Fish and Game and the Wildlife Conservation Board have responsibilities for the administration of waters in connection with wildlife management.

There is no general, coordinated governmental program for the acquisition, protection, and preservation of wetlands in the state.

This bill would authorize both the Department of Parks and Recreation and the Department of Fish and Game to acquire real property, including interests less than the fee, to further the public's interest in the protection, preservation, restoration and enhancement of wetlands, as defined, in accordance with a priority plan jointly prepared by the Department of Parks and Recreation and the Department of Fish and Game, to be submitted to the Legislature not later than January 15, 1978. The bill would authorize the Department of Parks and Recreation and the Department of Fish and Game to enter into operating agreements with cities, counties, and districts for the management and control of wetlands. It would further provide that all acquisitions shall be subject to the Property Acquisition Law.

The bill would appropriate \$2,815,000 † from the Collier Park Preservation Fund to the Department of Parks and Recreation and the Department of Fish and Game for wetlands study, and to the Department of Parks and Recreation for the planning and acquisition of specific wetlands projects. It also would amend and supplement the Budget Act of 1975 to appropriate \$2,885,000, for expenditure during the 1976-77, 1977-78, and 1978-79 fiscal years, payable from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974, to the Wildlife Conservation Board and the Department of Fish and Game for the planning and acquisition of other specific wetlands projects. All such appropriations would be subject to requirements (1) that federal land and water conservation funds that are applicable to projects funded by this appropriation be credited to such appropriation and (2) that none of the funds be expended on the purchase price of any real property, if such an acquisition is to be made pursuant to the Property Acquisition Law, until the State Public Works Board has made certain determinations regarding compliance with the procedures and criteria established by the Attorney General relating to implied dedication and public prescriptive rights or claims. If such real property is not to be acquired pursuant to the Property Acquisition Law, such determinations would be made, instead, by the Wildlife Conservation Board.

Ch. 463 (AB 3313) Rosenthal. Homestead. married couples

(1) Existing law provides that a homestead of the separate property of a wife requires her consent, but a homestead of separate property of a husband does not need his consent.

This bill would eliminate the provision requiring a homestead of the separate property of the wife to have her consent.

(2) Existing law provides that, for 6 months thereafter, money from the sale of a homestead is protected against voluntary disposition by the husband in the same manner as the homestead.

† Appropriation reduced to \$2,695,000 by action of the Governor.

This bill would extend such protection to cover such voluntary disposition by the wife as well.

(3) Existing law defines "head of a family" for purposes of homestead as including the husband, when the claimant is married, or a person who has been residing on the premises and under his or her care and maintenance, any one of a list of dependent relatives, including an unmarried sister, 18 or older, but unable to care for or support herself.

This bill would expand that definition to include either spouse when the claimant is married; and to add to such list of resident dependent relatives, an unmarried brother, as well as an unmarried sister, when such person is 18 or older but unable to care for or support himself or herself.

(4) Existing law provides that a husband alone may select a homestead, and that a wife alone may select a homestead provided the husband has not, in which case her declaration must state that it is made for the joint benefit of both spouses.

This bill would provide that either spouse may select a homestead, but if the other spouse does not join in making such declaration, the declaring spouse must state that it is made for the joint benefit of both spouses.

This bill would specify that a declaration of a homestead does not affect the property rights of spouses as between themselves other than as provided in those statutory provisions relating to homesteads

Ch. 464 (AB 3867) Chappie. Motor vehicles: motorcycles: noise limits.

Existing state law prescribes noise limits for motorcycles based upon the year of manufacture of the motorcycle. This bill would make certain changes in such noise limits. The existing noise limits and the noise limits which would be prescribed by the bill are as follows.

Year of manufacture	Existing limits	Bill limits
1978-1980	75dba	83dba
1981-1985	75dba	80dba
1986-1987	75dba	75dba
1988-1989	70dba	75dba
1990 and following	70dba	70dba

Ch. 465 (AB 301) Keysor. Public safety officers.

This bill would establish the Public Safety Officers Procedural Bill of Rights Act to provide state statutes with respect to matters that are now regulated by local ordinances and regulations. It would define "public safety officers" to mean all peace officers, as defined, including employees of a charter city or county, prescribes various rights of public safety officers under investigation with respect to the time of interrogation, nature of the investigation, length of the interrogating session, transcription of the interrogation, and representation and specify other rights of such public safety officers with regard to discrimination and discipline.

The bill would also provide that neither appropriation is made nor obligation created for the reimbursement of any local entity for any costs incurred by it pursuant to the bill for a specified reason.

Ch. 466 (SB 839) Way. Workers' compensation

The existing law provides that certain specified "injuries" suffered by specified public employees are presumed to arise out of and in the course of the employment.

This bill would provide that the presumption that the injury arises out of and in the course of employment shall be extended to such employees following termination of service for a period of three calendar months for each full year of service, commencing with the last date actually worked, but not to exceed 60 months.

The bill would also specify that the average weekly earnings for such employees shall be taken at the maximum.

This bill would also provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill

Ch. 467 (AB 1904) McAlister. Tanks and boilers

(1) Existing law provides that no tank or boiler shall be operated unless a permit for its operation has been issued by the Division of Industrial Safety, such permit to continue in effect for not longer than three years

This bill would specify that such permit be issued by or in behalf of the division and to continue in effect for not longer than five years.

(2) Existing law defines a "small tank" as any tank of less than 1,200 gallons water capacity.

This bill would define "small tank" as any tank with 1,200 gallons water capacity or less.

It would also make a technical nonsubstantive correction.

Ch. 468 (AB 2414) Nestande. School supply purchases.

Under existing law the county superintendent of schools when purchasing standard school supplies is required to make such purchase from the lowest responsible bidder in accordance with specified provisions, or else reject all bids.

This bill would limit the applicability of such requirement to counties other than counties of the first or second class containing no more than three districts with an a.d. a of less than 2,500

Ch. 469 (AB 2599) Vicencia. Southern California Rapid Transit District city selection committee

(1) Under the Southern California Rapid Transit District Law, each member of the city selection committee (which consists of a representative from each of the cities, except the City of Los Angeles, included within the Southern California Rapid Transit District) has one vote for each \$10,000,000, or major fraction thereof, of assessed valuation of property taxable for district purposes in the city the member represents, provided that each member has at least one vote.

This bill would, instead, grant each member of the committee one vote for each 10,000, or major fraction thereof, of population in the city the member represents, continuing the requirement that each member have at least one vote.

(2) Under that law, the city selection committee is entitled to make four appointments to the district board of directors. The committee is authorized to divide the district into four corridors, and to make an appointment to the board from each of the corridors. The committee has adopted rules and regulations to that effect.

The bill would require any appointment to the board, on and after January 1, 1977, to be made by a subcommittee of the committee. The subcommittee would consist of those members of the committee representing cities included within the corridor the previous director represented. Any appointment of a subcommittee would be deemed approved by the committee unless rejected by a $\frac{2}{3}$ vote of the committee within 30 days of the appointment. If the appointment is so rejected, the subcommittee would be authorized to make another appointment.

(3) The bill would also make related changes.

Ch. 470 (AB 2628) Tucker. Dogbites crime.

Existing law ~~also~~ * provides for civil liability of the owner when a dog bites another person, and, after hearing upon the bringing of an action by any person in superior court, for removal, destruction or other action against the dog upon a second bite, but no criminal penalties are provided under such circumstances.

This bill would permit the district attorney or city attorney as well as any person to bring such action in the municipal court rather than superior court.

Ch. 471 (AB 2709) Craven. Exemptions. mobilehomes, boats

Existing law exempts, with certain exceptions, from execution or forced sale a home-stead, or a dwelling house or mobilehome in which the debtor or his family actually resides, in specified amounts.

This bill would increase the amount of the mobilehome exemption from \$15,000 to \$30,000 for heads of families and persons 65 years of age or older, and would make such exemption applicable to houseboats, boats, or other waterborne vessels in which the debtor or his family actually resides

It would also make a clarifying change by expressly providing that a mobilehome is not exempt if the debtor or his family has obtained a prior judicial determination that the dwelling is exempt from execution under specified statutory provisions.

Ch. 472 (AB 2713) Chappie. Traffic markings: tourist information.

Existing provisions of law permit only official traffic control devices conforming to uniform standards and specifications of the Department of Transportation to be placed upon a street or highway.

This bill would create an exception to such provisions in order to authorize any county or municipality having authority to adopt local police regulations to mark or paint the surface of any street or highway under its jurisdiction (or of any state highway, with the approval of the Department of Transportation) for the purpose of directing tourists to local points of interest. No such marking would, however, be permitted to be of a color or configuration which, as determined by the department, would cause it to be confused with an official traffic control device.

Ch. 473 (AB 2725) William Thomas. High school graduation standards.

Existing law requires the State Board of Education to prepare and distribute to each high school district which maintains a high school, examples of minimum academic standards for graduation for purposes of assisting school districts in the development of minimum academic standards for high school graduation.

This bill would require that such examples by April 1, 1977, include criteria utilized by the Department of Education in developing standards of competency in basic skills in order to measure eligibility for exemption from compulsory continuation attendance and representative examples of items used to test the attainment of such standards.

Ch. 474 (AB 2748) Murphy. Fish: commercial use of gill nets.

(1) Under existing law, in Fish and Game Districts 17, 18, 19, and 20A, drift gill nets and set gill nets are permitted to be used for taking fish for profit except that such nets may not be used in such districts for taking

(a) Salmon.

(b) Rockfish or lingcod, between a line running due west magnetic from the south steamplant stack at Moss Landing and a line running due west magnetic from the lighthouse at Point Pinos in waters between 40 and 60 fathoms from sunset Thursday to sunset Sunday and between a line running due west magnetic from the south steamplant stack at Moss Landing and a line running due west magnetic from Hurricane Point in water less than 40 fathoms.

The bill would revise the areas where rockfish and lingcod may not be taken with such gill nets as follows:

(a) Between a line running 240° magnetic from the south steamplant stack at Moss Landing and a line running 320° magnetic from the lighthouse at Point Pinos in water less than 60 fathoms.

(b) Between a line running 320° magnetic from the lighthouse at Point Pinos and a line running 250° magnetic from Hurricane Point in waters less than 50 fathoms.

(c) Between a line running 250° magnetic from Hurricane Point and a line running 180° magnetic from Pfeiffer Point in water less than 45 fathoms.

(d) Between a line running due west magnetic from the lighthouse at Point Piedras Blancas and a line running due west magnetic from Point Sal in water less than 40 fathoms.

(2) In Districts 17, 18, 19, and 20A, existing law does not limit the size of the mesh and twine of such gill nets used for taking fish for profit.

This bill would, after July 1, 1978, set mesh and twine limitations in such districts by not permitting the possession or use on boats fishing for rockfish or lingcod of such nets which either (a) have mesh smaller than 4½ inches or (b) have been constructed of a twine larger than number 6 nylon, except that the bottom 15 meshes may be constructed of heavier twine.

(3) Existing law provides various restrictions on the use of set nets to take fish for profit.

The bill, in addition to those provisions, would require that any set net be marked at either end with a buoy displaying above its waterline in numerals at least 2 inches high,

the California Fish and Game number of the vessel from which the net is being fished.

(4) The bill would also provide that, for specified reasons, neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill.

Ch. 475 (AB 2804) Chel. Administration of estates.

Under existing law administration of the estate of a person dying intestate may be granted to one or more competent persons not otherwise entitled upon the written request of the person entitled or of a child, grandchild, parent, brother or sister of the decedent who would be entitled but for his nonresidence in California and who is a resident of the United States.

This bill would delete the requirement that the person making the request be a resident of the United States.

Ch. 476 (AB 2925) Lancaster. Administrative adjudication.

Existing law, relating to administrative adjudication, authorizes specified administrative agencies rendering a decision affecting a right, authority, license or privilege issued or granted by such agency to include a stay of execution in such decision. The law provides that such stay of execution may be accompanied by an express condition that the party against whom the decision is rendered comply with specified terms of probation only where the agency has the power to make a probationary or conditional order.

This bill would delete the requirement that only an agency which has the power to make a probationary or conditional order may include such an express probationary condition in a stay of execution, and thus include other administrative agencies subject to the law or administrative adjudication within the authorization to make such probationary conditions.

Ch. 477 (AB 2940) Craven. Home furnishings.

Under existing law, the Home Furnishings Act requires retail dealers, custom upholsterers, manufacturers, bedding renovators, bedding manufacturers, supply dealers, and sterilizers, as those terms are defined, to be licensed to engage in a business regulated by such act. The act also imposes a fee for the issuance and for the renewal of each license granted thereunder. A violation of such requirements is punishable as a misdemeanor.

This bill would create an exemption from the fee requirements imposed by the act for issuance and renewal of licenses required thereunder for individuals who, in their own homes and without the employment of any other person, make, sell, advertise, or contract to make pillows, quilts, quilted pads, and comforters.

Ch. 478 (AB 2970) Carpenter. County supervisors: claims for per diem and mileage, or services rendered.

Under existing law a county may adopt a procedure for audit and allowance or rejection of claims by the county auditor. Presently claims of county supervisors for per diem and mileage, or service rendered, must be presented to the district attorney or county counsel for endorsement of his legal opinion as to its legality, and the board of supervisors is required to reject any claim so declared to be illegal.

This bill would provide that in a county which has adopted such a county auditor system for approving or rejecting claims, a claim against the county presented by a member of the board for per diem and mileage or for service rendered by him need not be presented to the district attorney or county counsel, if the board has further adopted a resolution making such provision applicable to the county. In such a case, the allowance of the claim by the auditor would constitute authority for the issuance of a warrant on the county treasury for such an amount of each such claim as the auditor finds to be a correct and legal county charge.

Ch. 479 (AB 3015) Lockyer. California State University and Colleges: pregnancy leave.

Existing law authorizes the granting of leaves of absence to employees of the California State University and Colleges. It also requires the granting of such a leave of absence without pay by a state appointing power to any permanent female employee.

This bill would specify that the Trustees of the California State University and Colleges are required to grant to any permanent female employee under the jurisdiction of the

trustees a leave of absence without pay for purposes of pregnancy, childbirth, or the recovery therefrom for a period determined by such employee, not to exceed one year. In addition, this bill would prohibit any change in the length of the leave from being effective, once it was determined, unless approved by the appointing power.

Ch. 480 (AB 3054) Carpenter. Mortgages.

Existing provisions of law exempt from licensure as real estate brokers persons who make collection of payments for lenders or on notes of owners in connection with loans secured directly or collaterally by liens on real property provided they are not engaged in other specified activities.

This bill would continue the exemption for such persons provided that (1) they make collection of less than a minimum specified number of loans or loan amounts, or (2) they make an application, pursuant to provisions set forth in this bill, to the Real Estate Commissioner.

This bill requires that the latter persons file an application setting forth specified information with the Real Estate Commissioner. This bill would require the application to be accompanied by a fee of \$200.

This bill would require the latter persons to comply with those provisions of the Real Estate Law relating to trust fund handling.

This bill would require the latter persons to file and maintain with the Real Estate Commissioner specified bonds.

This bill would also make a violation of its provisions grounds for an action by the commissioner for the recovery of civil penalties.

Ch. 481 (AB 3071) Suitt. Grand juries

Under existing law, a grand jury first impaneled in even-numbered years is required to investigate and report upon the need for changes in the salaries of the county district attorney and auditor. The grand jury is also required to investigate and report on the need for increases in the salaries of the board of supervisors, and transmit that report to the Legislature.

This bill would delete these provisions and would provide, instead, that a grand jury may, and when requested by the board of supervisors, must, investigate and report upon the need for changes in salaries of county elected officials. The grand jury would make such reports to the board of supervisors.

Ch. 482 (AB 3183) Ingalls. Vehicles: highways: two-way left-turn lanes: double yellow lines.

Under existing law, the Department of Transportation and local authorities may designate a two-way left-turn lane, as defined. Such lanes are required to be designated by distinctive roadway markings consisting of parallel dashed double yellow lines on each side of the lane. The department is authorized to prescribe standards and specifications governing such markings, in accordance with procedures set forth in the Administrative Procedure Act.

This bill would permit, until January 1, 1980, such markings for two-way left-turn lanes, to also consist of parallel double yellow lines, with the interior line dashed and the exterior line solid, on each side of the lane. The bill would require, on and after January 1, 1980, that such markings consist only of parallel double lines, with the interior line dashed and the exterior line solid, on each side of the lane. The bill would specify that raised pavement markers may be used to simulate such painted lines when placed in accordance with standards adopted by the department.

The bill would also delete the provisions which specifically require that the standards and specifications be prescribed in accordance with the Administrative Procedure Act.

The bill would make a related, conforming change.

Ch. 483 (AB 3201) Ingalls. Safety roadside rest: vending machines

Existing law requires that any profits derived from vending machines placed in safety roadside rests be transferred by the Department of Transportation to the General Fund, without defining what the term "profits" means.

This bill would require that the transfers be made to the State Highway Account in the State Transportation Fund instead of the General Fund, and would clarify the existing law by requiring only that the money received by the state for authorizing the placement of such vending machines be so transferred.

Ch. 484 (AB 3217) Suitt. Grand juror compensation.

Under existing law, grand jurors in San Diego County receive 10 cents per mile necessarily traveled in going to and returning from court.

This bill would permit the San Diego County Board of Supervisors to increase the mileage fee to be paid to grand jurors.

Ch. 485 (AB 3227) Suitt. Colorado River Board.

Under existing law, the Colorado River Board of California consists of 6 members appointed by the Governor from a list of two nominees submitted by each of 6 specified southern California water agencies. The board is required to annually elect from its members a chairman who is ex officio the "Colorado River Commissioner" and who exercises specified powers and duties under the direction of the board, including the power to appoint such employees other than the executive secretary as may be necessary.

This bill would add 3 additional public members to the board who are appointees of the Governor and would, in addition, include the Director of Water Resources and the Director of Fish and Game, or their designees, as members of the board. The bill would require the water agencies to submit a list of 3 nominees and would require the Governor to appoint an alternate member to exercise the authority of the appointed member in his absence. The bill would require the chairman to be annually appointed by the Governor from among the appointed members of the board. The bill would delete the authority of the commissioner to appoint board employees.

Ch. 486 (AB 3354) Gualco. Service of alcoholic beverages.

Existing law does not expressly permit or prohibit the service of alcoholic beverages by persons under 21 years of age in bona fide public eating places, but does prohibit any licensee under an on-sale license issued for public premises, defined to exclude bona fide public eating places, from permitting any person under the age of 21 to enter and remain on the premises without lawful business therein.

This bill would affirmatively declare that nothing in the Alcoholic Beverage Control Act shall be construed to prohibit the service of any alcoholic beverage by any person between 18 and 21 years of age in any bona fide public eating place, as defined, which is appropriately licensed, where such person is not acting in the capacity of a bartender and the service occurs in an area primarily designed and used for the sale and service of food for consumption on the premises.

Ch. 487 (AB 3415) Badham. Healing arts.

Existing law allows the Department of Health to authorize unlicensed laboratory personnel employed as technicians in respiratory services or cardiopulmonary laboratories in clinics or hospitals to perform venipuncture, arterial puncture, or skin puncture for purposes of withdrawing blood or for test purposes.

This bill would allow the department to authorize unlicensed personnel employed as hemodialysis technicians in clinics or hospitals, as defined, to perform venipuncture, arterial puncture, or skin puncture for purposes of providing dialysis treatment for a patient. The bill would provide that such provision is to remain in effect until January 1, 1980.

Ch. 488 (AB 3444) Sieroty. Opening statements.

Existing statutory law specifies that in criminal trials following the closing arguments the judge, after charging the jury as required, may comment on the failure of the defendant to explain or deny by his testimony any evidence or facts in the case against him, whether the defendant testifies or not.

This bill would delete this provision of law.

Ch. 489 (AB 3459) Antonovich. Labor: employment of minors.

Existing law lists various places in which minors under the age of 16 years are prohibited from being employed.

This bill would delete from such list any bowling alley.

Ch. 490 (AB 3524) Knox. Health care service plans

Existing law does not require all references to the Knox-Mills Health Plan Act to be deemed to be references to the Knox-Keene Health Care Service Plan Act of 1975

This bill would require that such references be so deemed.

Ch. 491 (AB 3573) MacDonald. Water facilities. state responsibilities.

Under existing law (Chapter 1080 of the Statutes of 1957) the Department of Finance was authorized to construct a reservoir and appurtenant works in San Luis Obispo County for the impounding and distribution of water, pursuant to an agreement, to be executed between the Director of Finance and the City of San Luis Obispo, to serve state agencies and the city. Such agreement could provide for the operation of such facilities and the disposition of water made available thereby.

This bill would authorize the Department of Finance to transfer to the Department of Water Resources its obligations and responsibilities under Chapter 1080 of the Statutes of 1957 for the operation and control of Whale Rock Dam and Reservoir in San Luis Obispo County, subject to the consent of the other parties to the operating agreement.

Ch. 492 (AB 3753) Knox. Sale of securities.

Existing law provides that it is unlawful to offer or sell any security in an issuer transaction or in connection with a recapitalization or reorganization or to engage in certain transactions with respect to outstanding securities unless such security is qualified for sale pursuant to specified provisions or unless such security transaction falls within one of the enumerated exemptions. Among the transactions so exempted is any change in the rights, preferences or restrictions of shares, but among the changes in rights, preferences, privileges or restrictions not exempt from qualification are such changes with respect to shares or memberships in a mutual water company, if they substantially and adversely affect any class of shareholders.

This bill would provide that changes in rights, preferences, privileges or restrictions, with respect to shares or memberships in any other corporation organized primarily to provide services or facilities to its shareholders, are not exempt from qualification if they materially and adversely affect any class of shareholders.

Ch. 493 (AB 3946) Vicencia. School district funds, accounts.

Current law permits the governing board of a school district to transfer funds from a special or restricted fund or account to the general fund of the district, subject to certain conditions.

This bill would permit such transfer from any fund or account to any other fund, subject to the same conditions, for the payment of any obligation of the district.

Ch. 494 (AB 4288) Wilson. Department of Finance review of transactions.

Under existing law, the Director of Finance may exempt from approval by the Department of Finance transactions involving not more than \$10,000 for which such approval is required by statute.

This bill would increase such amount from \$10,000 to \$25,000

Ch. 495 (AB 4328) Thurman. Accident photographs: sale or use.

Existing law makes it a misdemeanor to knowingly and directly solicit any injured person or person acting on his behalf for the sale or use of photographs relating to the accident causing the injury or death of the injured person.

This bill would permit the solicitation, other than by a public employee acting within the scope of employment, of the injured person's attorney for the sale or use of such photographs.

Ch. 496 (SB 13) Holden. Air pollution: motor vehicles: control devices.

Under existing law, in general, a retrofit exhaust device is required on every 1955 through 1965 light-duty (manufacturer's maximum gross vehicle weight rating of under 6,001 pounds) motor vehicle registered in specified counties upon initial registration and upon transfer of ownership and registration.

The specified counties are those in the San Diego Air Basin, San Francisco Bay Area Air Basin, and the South Coast Air Basin

This bill would require the State Air Resources Board to annually review the require-

ment that such motor vehicles be so equipped to determine the contribution of that requirement to the maintenance of required ambient air quality standards in the above air basins

The bill would make the requirement no longer applicable to such motor vehicles in any of such air basin upon a determination by the board by regulation that the requirement is no longer a significant factor to the maintenance of required ambient air quality standards in such air basin. However, all such motor vehicles equipped with a retrofit exhaust device pursuant to the requirement prior to the adoption of the regulation would be required to continue to be so equipped.

Ch. 497 (SB 1417) Rodda. Adoption of children: minimum age difference: exception.

Existing law requires a person adopting a child to be at least 10 years older than the child, but exempts therefrom, adoptions by a stepparent, which the court is satisfied are in the best interests of the parties and in the public interest.

This bill would expand the exemption to include, in addition to adoptions by a stepparent, adoptions by a sister, brother, aunt, uncle, or cousin-german and, if such person is married, by such person and the spouse thereof.

Ch. 498 (AB 1323) Leroy F Greene. Vehicles: driver's license suspensions.

Existing state law does not authorize the Department of Motor Vehicles to require an examination of a person whose driver's license has been suspended because of a physical or mental condition before terminating such suspension, or to continue such a suspension until evidence establishes that the cause for which the suspension action was taken has been removed. Existing state law authorizes the department to revoke, but not suspend, the privilege of any person to operate a motor vehicle upon any of the grounds which authorize refusal to issue a license.

This bill would authorize the department, before terminating any suspension based upon a physical or mental condition of the licensee, to require an examination with respect to the ability of the licensee to safely operate a motor vehicle. The bill would also require that such a suspension continue until evidence establishes that the cause of the suspension has been removed or no longer renders the person incapable of safely operating a motor vehicle. The bill would authorize the department to suspend, as well as revoke, the driving privilege of any person upon any of the grounds which authorize the refusal to issue a license.

Ch. 499 (AB 1985) Boatwright. Property taxation: refund of payments.

Under existing law, a property taxpayer may file a claim for refund of property taxes, for specified reasons, and if the claim is rejected may commence an action in superior court to recover the taxes. Existing law also provides procedures whereby a person may pay property taxes under protest and then file an action in superior court to recover the taxes paid under protest.

This bill would eliminate those provisions applying to court actions and instead would provide procedures for the filing of a court action for the recovery of property taxes. Such action could be filed any time after payment of the tax or the first installment under an installment plan of redemption but within 6 months of the rejection of a refund claim for such taxes or installment, and would require the courts to give such actions precedence over other civil actions pending, with certain exceptions.

This bill would be applied to refund actions pertaining to taxes which become due and payable on or after the lien date in 1977.

This bill would provide that there is no reimbursement of local agencies for costs incurred pursuant to this act for a specified reason.

Ch. 500 (AB 2624) Chel. Salvageable personal property. solicitations

Under existing law it is unlawful for associations to solicit donations of salvageable personal property or to sell such donated property except for an association organized and operated exclusively for religious, charitable, scientific, literary, educational, or other specific purposes and which does not, as a substantial part of its activities, attempt to influence legislation and which does not participate in political campaigns on behalf of any candidate for public office

This bill would exempt from such prohibition civic leagues or organizations not organized for profit but operated exclusively for the promotion of social welfare, or certain local organizations of employees so long as the net earnings of such league or organization are devoted exclusively to charitable, educational, or recreational purposes.

The bill would require all organizations exempted from such requirement to maintain separate bank accounts and records for such solicitations or sales. It would also prevent commingling of such proceeds and require compliance with the Uniform Supervision of Trustees for Charitable Purposes Act.

This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for costs incurred by it pursuant to this act.

Ch. 501 (AB 2928) Beverly. Transit districts: facility location

Under existing law, a transit district is not required to consult with, or consider the recommendations of, a city or county in the location of the transit district's bus stops, park and ride service facilities, and special service terminal points and stations.

Under existing law, every county and city is required to adopt a comprehensive, long-term general plan for its physical development. The general plan is required to include, among other things, a circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, and other local public utilities and facilities, all correlated with the land-use element of the general plan.

This bill would require a transit district to consult with, and consider the recommendations of, the city if such transit facilities are to be located therein, or the county if such transit facilities are to be located in the unincorporated area thereof, on the proposed locations of such transit facilities. The city or county, in making its recommendations to the transit district on the proposed location of any such transit facilities, would be required to consider whether the proposed location is consistent with the circulation element of its general plan.

This bill would also provide that no appropriation is made and the state shall not reimburse local agencies for costs incurred by them pursuant to this bill for a specified reason.

Ch. 502 (AB 2995) Priolo. State parks: land acquisition.

There is no existing law providing funds for the acquisition of Carma Ranch-El Matador Beach in the County of Los Angeles for the state park system.

The bill would appropriate \$650,000 to the department for such state park unit, from the Bagley Conservation Fund and would reappropriate for such state park unit the unencumbered balance of the funds appropriated from such fund for Encinal Beach by Chapter 1521 of the Statutes of 1974. None of the funds appropriated or reappropriated would be available for expenditure unless and until not less than one-half of the balance that is not funded by the bill of the total cost of the acquisition is funded with grant moneys received by the state from the federal government pursuant to the Land and Water Conservation Fund Act of 1965. The bill would require such acquisition to be subject to the provisions of the Property Acquisition Law and subject to the requirement that certain procedures of the Attorney General relating to implied dedications and public prescriptive rights or claims have been complied with.

Ch. 503 (AB 3220) Wilson. Exemptions: motor vehicles.

Under existing law, a debtor's equity up to \$500 in a motor vehicle is exempt from execution, but only if the value of the vehicle does not exceed \$1,000.

This bill would eliminate the requirement that the vehicle have a value not exceeding \$1,000.

Ch. 504 (AB 3490) Torres. Welfare.

Various provisions relating to public social services are contained in the general laws.

This bill would codify many of such provisions.

This bill would provide that it shall become effective immediately as an urgency statute.

Ch 505 (AB 3770) Arnett Community colleges: student residency.

Under existing law, students at a community college who have not established residence in the community college district are required to pay a tuition fee

This bill requires that when a student resides in territory not a part of a community college district, which territory is annexed to a community college district effective July 1, 1976, the student be classified as a resident student of the district for purposes of enrolling in the 1976 summer session, even though such session commences prior to the July 1 effective date of the annexation.

This bill would provide that it does not make an appropriation or create an obligation to reimburse local agencies pursuant to Section 2231 of the Revenue and Taxation Code for costs incurred by them pursuant to this act.

The bill would take effect immediately as an urgency statute

Ch 506 (AB 3981) Sieroty. Public funds: deposit.

The existing law provides, subject to certain conditions, for the deposit of state funds and the funds of local agencies in specified types of banks

This bill would revise such provisions to expressly make foreign banking corporations, which are authorized pursuant to specified provisions of the law to transact the business of accepting deposits in this state, eligible for such deposits.

Ch 507 (AB 4135) Ingalls. Oil and gas

Under existing law the State Lands Commission is authorized to take any oil, gas, or other hydrocarbons taken in kind, pursuant to any lease or agreement, and exchange it for refined products which are required to be allocated to state agencies and to other public agencies, if such exchange and allocation, in the judgment of the State Energy Resources Conservation and Development Commission, is necessary to alleviate fuel shortage condition or will effect a substantial cost saving to the state. The commission is required to charge the state or other public agencies allocated refined products the current market price of these products, including all applicable taxes, and the revenue, including taxes generated by the sales, is subject to allocation in accordance with Section 6217 of the Public Resources Code. The final repository of revenues under Section 6217 is the Capital Outlay Fund for Higher Education.

This bill would require the taxes generated by such sales to, instead, be distributed according to applicable provisions of the Revenue and Taxation Code.

Ch. 508 (SB 1720) Rains Credit installment contracts: application of Unruh Act.

Existing statutory law does not expressly set forth provisions concerning the application of the Unruh Act to retail installment contracts, contracts, retail installment accounts, installment accounts, or revolving accounts where such transactions involve both California and out-of-state contacts.

This bill would expressly provide for the application of the Unruh Act to the above-described transactions where specified contacts exist or occur in California.

Ch. 509 (SB 2023) Way Counties: affidavits for monthly cash statements

Under existing law, in counties of 500,000 or over, the board of supervisors is authorized to provide for the taking and subscribing of affidavits for monthly cash statements by a deputy, designated agent, or assistant of the county officer.

This bill would make such authorization apply to all counties.

Ch 510 (SB 2152) Nejedly. Municipal utility districts.

Under existing law, the board of directors of a municipal utility district may, under specified circumstances, issue refunding bonds to refund bonded indebtedness of the district. Under existing law, the refunding bonds are required to bear interest at a rate not exceeding the interest rate on the refunded bonds.

This bill would delete the provision relating to the interest rate of the refunding bonds and would incorporate by reference provisions of law in the Government Code relating generally to refunding of bonded indebtedness of local agencies. These provisions prohibit issuance of refunding bonds where the total net interest cost to maturity plus the principal of the refunding bonds exceeds such amount for the bonds to be refunded.

The bill would also incorporate by reference, provisions of law in the Government Code relating generally to refunding of revenue bonds of local agencies

Ch. 511 (SB 2167) Berryhill Agricultural Pest Control Advisory Committee membership.

Existing law establishes an Agricultural Pest Control Advisory Committee within the Department of Food and Agriculture. A member of the committee is appointed by the Director of Food and Agriculture for a term of 3 years. There are 11 members on the committee, including 2 pest control research specialists.

The bill would alter the committee's membership by removing 1 pest control research specialist and replacing the specialist with a person who is a pest control research specialist who specializes in biological control, and by adding a person who represents the Board of Governors of the California Community Colleges, resulting in 12 members on the committee.

The first pest control research specialist who specializes in biological control would be required to be appointed to fill any vacancy on the committee which exists on January 1, 1977, or the first vacancy which occurs on or after that date, in the office of any pest control research specialist, and the first representative of the board of governors would be required to be appointed as soon as possible after January 1, 1977.

Ch. 512 (AB 3293) Wilson Welfare: foster children

Existing law provides continuous appropriations according to specified formulae, to the State Department of Benefit Payments and to the various counties, for the support and maintenance of needy children.

This bill would increase the continuous appropriation to the State Department of Benefit Payments, for reimbursement to counties, by an amount equal to the nonfederal costs of providing an additional \$12.50 per month per eligible child to foster parents, and would appropriate \$2,000,000 for such purposes from the General Fund for the 1976-77 fiscal year and specify that a county may not substitute such funds for county funds being expended for foster care when the bill takes effect.

This bill would also take effect immediately as an urgency statute.

Ch. 513 (AB 1053) Sieroty Public buildings; fine art

Existing law does not require that money be expended for the purchase of fine art from a portion of the total amount to be expended for construction of public buildings for public use.

This bill would require that financing for works of art, as defined, in state buildings shall be subject to an annual appropriation in the Budget Act, and that the Governor include a budget item for art in state buildings in the annual budget submitted to the Legislature.

The State Architect would be required to determine and implement procedures for the purchase or lease by contract of existing works of art from an artist or the artist's authorized agent with the assistance of the Arts Council and the approval of the Department of Finance and determine methods including competition among artists to facilitate selecting and commissioning artists to create works of art. Preference may be given to artists who are California residents.

This bill would require the State Architect to consult with each artist with respect to the design and placement of works of art, ensure that such works of art are placed within public view, and authorize payment for works of art acquired. It would declare such acquisition not subject to the bidding requirements of the State Contract Act.

The bill also would provide that any artist commissioned thereunder shall retain the right to claim authorship of the work of art, the right of reproduction, including rights under copyright law, and, if provided by contract, certain rights to a percentage of the proceeds if sold separately from the building in which located. Such rights would accrue to the artist, or to such artist's heirs, assigns, or personal representatives, until after the end of the 20th year following the death of such artist.

The bill would also permit an artist the right of first refusal at the highest bid price in the event of a subsequent sale.

The bill would require the State Architect and Arts Council to prepare and submit to the Legislature an annual report on the art in state buildings program.

Ch. 514 (SB 1621) Holmdahl. State Architect: qualifications

Existing law provides that no person shall be eligible for the office of State Architect who is not a member of the American Institute of Architects at the time of his first appointment

This bill would delete this provision.

Ch. 515 (SB 2175) Behr. School buildings

Existing law specifies conditions and procedures under which school districts may apply for and receive state school building aid funds to be used for the reconstruction or replacement of school buildings which do not comply with the earthquake safety requirements of the Field Act.

Among such conditions, are (1) that the building to be replaced not be one for which reconstruction or replacement funds have already been received by the district, and (2) that the district levy a 20-cent tax to provide matching funds, but only on condition that the district levied such a tax during the preceding year and deposited the proceeds in the school building fund of the district.

This bill would permit a school district to apply for and be granted apportionments for the purpose of replacing an existing substandard building formerly used as a high school which had been replaced by a new high school building using state school building aid funds, but which thereafter continued to be used by the district for elementary school purposes.

This bill would also permit the district to levy a 20-cent tax to provide matching funds for the state aid apportionment, notwithstanding the absence of any such tax levy by the district during the preceding fiscal year

Existing law grants the homeowners' property tax exemption in the amount of \$7,000 of the full value of qualified dwellings and continuously appropriates state funds for subventions to local government to compensate for property tax revenues lost by reason of such exemption. This bill would increase the amount of such appropriation by authorizing an additional property tax

Existing law authorizes up to \$5,000,000 of proceeds from the State School Building Aid Bond Law of 1966 to be allocated for construction of a permanent campus for a regional occupation center school in the south bay area of Los Angeles County

This bill would, instead, authorize up to ~~\$2,500,000~~ [\$2,412,233.49] * of proceeds from the 1966 school bond law, and ~~\$2,500,000~~ [\$2,587,766.51] * of proceeds from the State School Building Aid Bond Law of 1974 to be allocated for such purposes

Under existing law, up to \$30,000,000 of proceeds from the State School Building Aid Bond Law of 1966 is made available through repayable state loans to assist school districts, not otherwise eligible for assistance, in rehabilitating or replacing structurally unsafe school buildings

This bill would increase the amount so available to \$40,000,000.

Under existing law, up to \$2,500,000 of the proceeds from the State School Building Aid [Bond] * Law of 1966 is made available as a state loan to the Fresno Unified School District for the construction of a permanent campus for a regional occupational center

This bill would make such funds available from the State School Building Aid Bond Law of 1974, rather than from the 1966 school bond law

This bill would also permit certain conditional apportionments made to a school district under the State School Building Aid Bond Law of 1952 to become final when certain conditions are met

This bill would go into immediate effect as an urgency statute

Ch 516 (AB 270) Vasconcellos School district governing boards

Existing law does not provide for the inclusion on school district governing boards of nonvoting members or students of schools in the district.

This bill would permit a prescribed number of high school students to petition for a student member to be included on the school district governing board. Upon receipt of such a petition, the bill would require, commencing July 1, 1976, each school district governing board, maintaining one or more high schools, to include, as an additional nonvoting member, one student who shall serve for a one-year term, and would grant such member the right to attend each and all governing board meetings, except executive sessions. The bill would entitle nonvoting student members to the same travel

allowances as voting members, but would disallow compensation for attendance at board meetings to which regular members may be entitled

This bill would also require such school district governing boards to establish a procedure which would allow the students of the high school or high schools to choose the nonvoting member.

This bill would specify that there is no reimbursement or appropriation made by this act because costs incurred by school districts pursuant to the act are incurred as part of normal operating procedures

Ch 517 (AB 1331) Calvo. Bay Area Air Pollution Control District.

(1) Existing statutory law provides for the Bay Area Air Pollution Control District board of directors consisting of 1 supervisor from each county within the district appointed by the county board of supervisors and 1 mayor or city councilman appointed by each county's city selection committee from among such officers of cities within the portion of the county included within the county

This bill would revise the appointments to the board as follows, on the basis of the population of that portion of the county included within the district

(a) For a county of 300,000 or less (Marin, Napa, Sonoma, and Solano), 1 member appointed by the board of supervisors, which member shall either be a member of the board of supervisors or a person on a list of mayors and councilmen of cities in that portion of the county included within the district submitted to the board of supervisors by the city selection committee of the county.

(b) For a county of 750,000 or less but more than 300,000 (Contra Costa, San Francisco, and San Mateo), 1 member appointed by the city selection committee and 1 member appointed by the board of supervisors pursuant to the procedure in (a) above

(c) For a county of 1,000,000 or less but more than 750,000, 2 members appointed pursuant to the procedure in (b) above and 1 member appointed pursuant to the procedure in (a) above

(d) For a county of more than 1,000,000 (Alameda and Santa Clara), 2 members appointed by the city selection committee and 2 members appointed pursuant to the procedure in (a) above

(2) Existing statutory law provides for payment of a per diem for attendance at board meetings, up to an annual maximum amount of \$1,200

This bill would authorize payment of a per diem for committee meetings of the board as well, and would increase the annual maximum amount of such compensation to \$1,800

(3) The bill would make other conforming changes.

(4) The bill would provide that there shall be no reimbursement nor appropriation made for costs to local agencies for a specified reason

Ch 518 (AB 2021) McAlister Tanks and boilers inspection fees

The existing law permits the Division of Industrial Safety to fix by general safety order the fees for the shop, field, and resale inspection of tanks and boilers, not to exceed specified amounts

This bill would permit the Division of Industrial Safety to fix the fees not to exceed \$20 per hour for the shop, field, and resale inspection of tanks and boilers, and for the shop inspection of parts of tanks and boilers

This bill would require the fees for field inspection of tanks and boilers not to exceed \$20 per hour to be reviewed and adjusted biannually by the division, with a public hearing at least two months before the effective date of the fee adjustment

Ch. 519 (AB 2424) Fenton Elections superior court judge

Existing law requires all candidates who have been nominated at any primary election for public office, including superior court judge, to have their names printed upon the ballot for the next ensuing general election, unless the candidate has died. In the latter case, such candidate's name may be removed from the ballot.

This bill would require the removal of a candidate's name from the general election ballot, in the case of a nominee for superior court judge, if in the primary election there were at least two other candidates for such nomination and the candidate who is requesting the removal of his or her name has after a prescribed date been appointed to a

federal or state office, and it would provide for two candidates to such office at the next ensuing general election.

This bill would take effect immediately as an urgency statute

Ch 520 (AB 2548) Goggan Public utilities offset rate adjustments

Under existing law, public utilities may request rate adjustments to offset fuel cost increases. This bill would authorize the Public Utilities Commission to grant substantial, as defined, but not complete relief to an electrical corporation. This bill would require a hearing within 60 days of such request and require the balance to be granted if found to be justified.

Under present law, the Public Utilities Commission is authorized to establish a system of accounts to be kept by public utilities and to prescribe the manner in which such accounts shall be kept.

This bill would direct the commission to require a public utility to establish and maintain a reserve account whenever a change in rates is authorized reflecting and passing through to customers specific changes in costs, except rates set for common carriers, so as to reflect the balance, whether positive or negative between the related costs and revenues, and directs the commission to order the utility to take into account any positive or negative balance remaining at the time of any subsequent rate adjustment

Ch 521 (AB 2647) Mori Personal income tax liability: divorced spouses

Under existing Personal Income Tax Law, where a joint return is filed by a husband and wife, the liability for the tax on the aggregate income is joint and several.

This bill would provide that such tax liability may be revised by a court in a proceeding for dissolution of the marriage of such husband and wife, provided the order revising such tax liability meets certain criteria

Ch. 522 (AB 2728) Lanterman. Community college districts' trustee areas.

Under existing law if the governing board of a community college district finds that, due to annexation of territory, the boundaries of trustee areas do not conform to the district's geography or population distribution, the board may order a special election seeking approval of rearrangement of such areas

This bill would provide that if such an election results in a trustee area having more or fewer than its allotted number of representatives, a governing board member representing a particular trustee area whose boundaries are rearranged so that he or she no longer resides within the trustee area may serve out his or her term of office as that area's representative.

Ch. 523 (AB 2932) Mori CSU C. trustees; student member

Under existing law, there is a student member of the Trustees of the California State University and Colleges who is appointed by the Governor for a one-year term.

This bill would provide that the student member of the trustees shall, instead, be appointed for a two-year term

This bill would also provide that any appointment to fill a vacancy of a student member shall be only for the remainder of the term of the person's office that became vacated.

Ch 524 (AB 3023) Garamendi Cemetery management and trust funds

(1) Nothing in present law requires trustees of cemetery endowment care funds or special care funds to post fidelity bonds

This bill would require such trustees to file with the Cemetery Board a prescribed \$50,000 bond guaranteeing payment of damages occasioned by breaches of their fiduciary duties. Such trustees would be prohibited from taking action with respect to trust funds unless such a bond is on file with the board. The board would be authorized to suspend the certificate of authority of any cemetery authority having endowment or special care funds with respect to which there is no bond on file with the board as required by the bill. Claims against the bond could be maintained by aggrieved parties and by the board. Judgments and settlements on the claim would be payable to the endowment or special care fund.

(2) The bill also would provide that no appropriation shall be made for the reimbursement of any local agency for any costs incurred by it pursuant to the bill for a specified reason

Ch. 525 (AB 3025) Garamendi. Cemeteries.

(1) The State Constitution authorizes counties and cities to make and enforce within their limits all local, police, sanitary and other ordinances and regulations not in conflict with general laws. This power is generally known as the police power. The state has enacted comprehensive statutory provisions in regulation of cemeteries, but nothing in state law expressly delineates local authority to generally regulate interment or cemetery maintenance.

This bill would expressly recognize the power of counties and cities, in the exercise of their police powers, to prescribe standards governing interment of human remains and maintenance of cemeteries, including mausoleums and columbariums, which are reasonably necessary to protect public health and safety, assure decent and respectful treatment of human remains, or prevent offensive deterioration of cemetery grounds, structures, and places of interment. The bill would provide that it does not supersede specified provisions of state law or permit local regulation in conflict therewith, except that local ordinances adopted pursuant to the bill would prevail over conflicting rules and regulations of private and public cemeteries.

(2) Under existing law private cemetery authorities are authorized to regulate the uniformity, class, and kind of markers, monuments, and other structures within a cemetery thereof.

This bill would prohibit a private cemetery authority from requiring, as a condition to the erection of any monument or marker or structure, that it be purchased from or through the cemetery authority.

(3) Present law requires endowment care cemeteries to deposit prescribed minimum amounts in its endowment care fund for each new sale of grave space, niches, and crypts.

This bill would increase such minimum amounts.

(4) Present law requires each new endowment care cemetery to deposit \$25,000 in its endowment care fund before selling or disposing of plots.

This bill would increase such deposit to \$35,000 for endowment care cemeteries established on or after January 1, 1977.

(5) Existing law makes it a misdemeanor for any person, either directly or indirectly, to willfully and knowingly make, circulate, or transmit certain false statements or rumors regarding the financial condition, or which affect the solvency or financial standing, of any cemetery, cemetery authority, or cemetery corporation.

This bill would delete such provisions.

Ch. 526 (AB 3112) Boatwright. Contra Costa County Flood Control and Water Conservation District.

(1) Existing law permits the board of directors of the Contra Costa County Flood Control and Water Conservation District to form drainage areas without reference to the boundaries of other zones or drainage areas, and to create zones or subzones for the benefit of the zones or subzones with or without projects for the zones or subzones and to collect fees for such zones and areas, whether or not in cities or community service areas, for actual or projected future cost of drainage facilities and prohibits issuance of building permits unless the fee is paid.

This bill would authorize the district to reimburse the developer of drainage facilities upon dedication of the facilities to the district or the public if such facilities conform to the instituted drainage plan. The bill would also prohibit, when the board imposes a drainage facility fee, the approval of a final subdivision map unless such fee is paid.

(2) Existing law only permits the district's drainage facility fees to be used for land acquisition, construction engineering, repair, maintenance, and operation, or reimbursements as specified.

The bill would also permit such fees to be used to reduce the principal or interest of bonded indebtedness of the drainage area.

(3) Existing law authorizes the district to convert to a drainage area, a storm drain maintenance district, a Contra Costa County Storm Drainage District zone, or a county service area and, as part of the procedure of such conversion, the resolution to convert is required to contain, among other things, the boundaries of the proposed drainage area.

The bill would also require any resolution to convert to a drainage area to contain a general location designation and the boundary description may refer to a legal descrip-

tion of the boundaries on file in the office of the clerk of the board.

(4) Existing law does not provide for issuance of bonds for drainage facilities for drainage areas

This bill would authorize issuance of bonds for drainage facilities in drainage areas in the same manner as provided for zones of the district.

Ch 527 (AB 3528) Craven. Municipal court commissioners.

Under existing law, a retired court commissioner of a municipal court in Los Angeles County may be assigned by the presiding judge for temporary service as a commissioner.

This bill would permit municipal courts in San Diego County to also utilize retired court commissioners for temporary service as court commissioners

The bill makes certain findings declaring that the subject of the bill requires legislative action affecting San Diego County

The bill would further provide that no state-mandated local costs are imposed on local agencies by this bill

Ch 528 (AB 3556) Vicencia. State-mandated local programs worker's compensation

Under existing law, in 1973, separate amounts of \$106,000, \$1,096,000, and \$1,582,223 were appropriated to reimburse local agencies for costs due to increases in worker's compensation benefits.

This bill would revise the methods of computation for such appropriations.

This bill would appropriate an additional \$5,600,000 for such purposes, in augmentation of the Budget Act of 1975.

[This bill would take effect immediately as an urgency statute] *

Ch. 529 (AB 4465) McCarthy Police protection districts tax rate

(1) Under existing law, the maximum tax which can be levied for support of a police department by police protection districts in unincorporated towns is $\frac{3}{4}$ of 1% of the assessed value of the taxable property in the district

This bill would authorize a maximum tax of not to exceed $1\frac{1}{4}$ % of the assessed value of the taxable property of such a district if the proposed new maximum is approved by a majority of the votes cast by the voters of the district at an election called for that purpose.

(2) Under existing law, districts desiring consolidation of a special election on a district measure with a statewide general election are required to submit the resolution requesting such consolidation and the language of the measure to the board of supervisors and county clerk at least 74 days prior to the election. However, if the resolution requesting the consolidation is adopted and filed prior to the adoption of the ordinance, resolution, or order calling the election, then the latter must be adopted at least 59 days before the election.

This bill would make an exception to the above-described requirements to permit an election authorized by this bill to be consolidated with the statewide general election of November 2, 1976, if the resolution requesting such consolidation and containing the language of the measure is filed with the county board of supervisors and county clerk on or before September 1, 1976

(3) This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill

(4) This bill would take effect immediately as an urgency statute

Ch 530 (AB 1606) Alatorre Developmentally disabled persons: referrals

The Lanterman Developmental Disability Services Act requires the State Department of Health to contract with appropriate agencies for the establishment of regional centers which perform or cause to [be] * performed specified services for developmentally disabled persons. Developmentally disabled persons, except for those under the Lanterman-Petris-Short Act, cannot be admitted to a state hospital except upon referral of a regional center, and developmentally disabled persons are required to be referred to a regional center upon discharge from a state hospital.

This bill would establish a procedure for physicians and surgeons to make referrals to

a regional center of a minor patient with a developmental disability or who exhibits manifestations indicating the possibility of a developmental disability. The department would be required to send information about such referral procedure to every physician and surgeon and licensed general acute care hospital. Each regional center would be required to maintain records regarding the referral of every minor patient to it for services.

This bill would provide no reimbursement or appropriation to local agencies for duties, obligations, or responsibilities imposed on them by this bill.

Ch. 531 (AB 2551) Papan. Savings and loan associations.

Existing law provides that the minimum amount specified for the statutory net worth of each savings and loan association shall be 5 percent of the aggregate amount of its outstanding investment certificates and withdrawable shares.

This bill would repeal existing law, and instead provide that the Savings and Loan Commissioner shall fix a minimum statutory net worth requirement applicable to all associations, but not to exceed 4% of an association's total assets. This bill would also empower the Savings and Loan Commissioner to issue regulations to exclude from the total asset figure such additional asset items as may be deemed appropriate.

Ch. 532 (AB 3940) Maddy. Health.

Under existing law, a member of certain peer review committees whose purpose is to review the quality of medical services rendered by physicians and surgeons may be liable for damages for certain actions taken by the committee. Under existing law a person who communicates to certain such committees may be liable for damages because of that communication.

This bill would provide that a member of a peer review committee or a person who communicates to such a peer review committee would not be liable for damages for actions taken in connection with reviewing the quality of medical services of physicians and surgeons, as specified.

Ch. 533 (AB 3978) Badham. California water district debt.

Existing law provides for issuing of bonds and warrants by a California water district for purposes of the district or for any improvement district of a California water district. No provision for issuing negotiable notes by such a district or for an improvement district of such a district exist in present law.

This bill would authorize a California water district to issue negotiable notes in addition to or in lieu of issuing warrants of the district or for an improvement district in such a district.

The bill also provides the terms and conditions under which such negotiable notes may be issued, including notes in anticipation of sale of bonds of the district or an improvement district.

Ch. 534 (SB 140) Deukmejian. State taxes. deferred compensation.

Under existing California insurance tax law, a specified rate of tax is applied to the basis of such tax, which is based on gross premiums, except a different rate of tax is applied with respect to gross premiums received from policies or contracts issued in connection with a pension plan or profit-sharing plan exempted from federal taxes under specified provisions of federal law.

This bill includes plans exempted under Section 408(b) of the federal Internal Revenue Code within the group of exempted plans, the premiums of which are taxed at a different rate than under general insurance tax law.

Pursuant to existing law, the administrators of various retirement systems are required to make available certain information to the participants and beneficiaries of such system as required by provisions of the Corporations Code to publish an annual report containing specified information regarding the retirement system.

This bill would repeal such provisions of the Corporations Code.

Existing State Personal Income Tax Law authorizes a taxpayer to deduct a credit in an amount equal to the income taxes imposed on retirement income, as defined.

This bill would include income from certain retirement bonds and individual retirement accounts within the definition of retirement income.

Under existing California personal income tax law, self-employed persons may contribute up to \$2,500 or 10 percent of their self-employment income, whichever is less, to a qualified retirement pension plan and defer reporting the receipt of such amounts to a later period for purposes of determining when such income should be included in their gross income to compute their income taxes. Such provisions conformed to previous federal income tax law. Under existing California law, if such contributions to a qualified plan do not exceed the limits of \$7,500, or 15% which were placed on a qualified plan pursuant to recently amended federal law, the plan is not disqualified for California tax purposes, though the excess contributions to such plan would not be deferred for California tax purposes.

This bill would exclude from gross income that net income attributable to that portion of the deductions to a qualified plan which exceed state limits to the extent such deductions do not exceed federal limits for the taxable year until such amounts are distributed pursuant to the provisions of the plan or by operation of the law, and would revise certain participation standards and distribution standards for such plan, in conformity with the Federal Employee Retirement Income Security Act of 1974.

Under existing California personal income tax law, self-employed individuals may deduct contributions to a retirement pension plan from present income tax calculations and defer the imposition of income taxes on such amounts until they are distributed to such individual upon his or her retirement or upon his or her withdrawal of amounts from such plan. Such plan must include certain employees of the self-employed individual.

This bill would allow individuals who do not actively participate in other specified trusts or deferred income plans, to contribute 15 percent of his gross income, or \$1,500, whichever is less, to an individual retirement pension plan or purchase specified bonds within such limitations and to defer the imposition of income taxes on such amounts until such individual withdraws amounts from such plan or liquidates such bonds. An additional tax of 2.5 percent of the amount withdrawn or liquidated which exceeds certain excess contributions would be imposed if done by such individual before reaching 59½ years of age, if done over 1 year from the contribution thereof. The employees of such individual are not required to be included in such plan.

This bill would incorporate additional changes in Section 17204 of the Revenue and Taxation Code, proposed by Senate Bill No. 1375 and Assembly Bill No. 4520, to be effective only if Senate Bill No. 1375 or Assembly Bill No. 4520, or both, are chaptered, and this bill is chaptered last.

This bill would incorporate additional changes in Section 18807 of the Revenue and Taxation Code, proposed by Senate Bill No. 1684, to be effective only if Senate Bill No. 1684 and this bill are both chaptered, and this bill is chaptered last.

The bill would take effect immediately as a tax levy, but its operative effect will depend upon the time at which it becomes effective.

Ch. 535 (SB 2014) Collier. Petroleum.

Existing law requires that price indications on dispensing apparatus and in advertising of motor vehicle fuel be stated as price per gallon.

This bill would allow the price to be stated per liter as well.

This bill would also require a person selling gasoline and advertising the price per liter of such gasoline to display in a conspicuous fashion a gallon-to-liter conversion table showing quantity and price equivalents.

This provision would remain in effect until January 1, 1980, and on such date be repealed.

Ch. 536 (AB 550) Robinson. Pharmacists

Present law prohibits any person from advertising in any manner which refers to the cost, price, charge, or fee to be paid for any commodity or commodities furnished, or any service or services performed, by any person licensed as a physician and surgeon, optometrist, pharmacist, or registered dispensing optician when such commodities or services are furnished in connection with the profession practiced or the business for which such physician, optometrist, pharmacist, or optician is licensed.

This bill provides that such provision is not to be construed in a manner which would prohibit the advertising of a drug which requires a prescription, provided such advertis-

ing meets specified conditions, including that it is limited to references to the retail price, the brand name of the drug, the generic drug type where applicable, quantity, strength, dosage forms and that such advertisement includes a statement of services available, the period during which such price will be in effect, which period shall not be less than 15 days, that the advertiser has in stock sufficient quantities of the advertised drug to meet any reasonable demands for such drug for at least 15 days and the advertiser specially separates the prescription drug advertisements from the advertisements of nonprescription drugs or other goods. The bill further specifically authorizes a pharmacist to advertise a prescription drug provided such advertisement meets the conditions of the above provisions

Existing law requires every pharmacy to post in a place conspicuous to customers a list, as provided by the State Board of Pharmacy, of the 100 prescription drugs most frequently sold in California and requires a pharmacist or his employee, upon request, to give the current retail price for any such drug sold at the pharmacy.

This bill would require in addition that such list be posted in a place which is easily accessible and easily readable by customers

Ch 537 (AB 2355) Kapiloff. Special education: tuition allowances

Existing law requires school districts to make specified payments towards the tuition of certain exceptional pupils (i.e., physically handicapped, mentally or severely mentally retarded, or multiply handicapped), and authorizes such payments towards the tuition of educationally handicapped pupils, who are enrolled in a public or private nonsectarian school, institution, or agency that offers the special education facilities and services that are made necessary by the pupils' disabilities when appropriate special educational facilities and services are not available or cannot be reasonably provided. Existing law provides for the parent or guardian whose child has been denied admission to such tuition program, an appeal procedure including appeals to the county superintendent of schools and finally to the State Department of Education.

This bill would require that the governing board of each district notify the parent or guardian of each pupil of his rights with respect to such tuition payments for handicapped pupils, at the beginning of the first semester or quarter of the regular school term.

It also would specify that where the Department of Education affirms the denial, the parent or guardian may apply for a writ of mandate in the appropriate superior court and, would require if a prescribed writ is issued, that the school district be liable for reasonable attorneys fees and all other court costs of the parent or guardian

Existing law requires the state apportionments to be made for each fiscal year immediately following the fiscal year in which the attendance occurs.

This bill would require school districts, upon written request of a parent or guardian, to make prescribed direct payments of prescribed amounts on a monthly basis to private nonsectarian schools, institutions, and agencies

It also would specify that no reimbursement or appropriation is made by the act for the reimbursement of local agencies because costs which would be imposed upon local agencies are minor in nature.

Ch. 538 (AB 2466) Carpenter. Public works: apprentices.

The existing law provides that, with certain exceptions, a contractor who willfully fails to comply with certain provisions regarding the employment of apprentices upon public works shall be denied the right to bid on a public works contract for a period of six months

This bill would instead provide that such a contractor shall be denied such a right to bid for a period of one year, and would, in addition, require the awarding body, under specified circumstances, to withhold from contract progress payments due or to become due, the sum of \$5,000, until released on the order of the Administrator of Apprenticeship, or completion of the contract. It would also change the categories of contractors exempted from such provisions.

This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to this bill

Ch 539 (AB 2756) Chappie Emergency medical services

Under existing law all policemen, sheriffs, members of the California Highway Patrol, and firemen, except those whose duties are primarily clerical or administrative, and all ocean and public beach lifeguards in this state are required to be trained to administer first aid, including cardiopulmonary resuscitation, by a public agency or private nonprofit agency designated by the State Department of Health.

This bill would authorize the Director of Health to develop, or prescribe standards for and approve, an emergency medical technician training and testing program for California Highway Patrol, Division of Forestry, and other public safety agency personnel, upon request and as deemed appropriate by the director of the particular agency.

The director, with the concurrence of the California Highway Patrol, would be authorized to offer such training and testing at the facilities of the California Highway Patrol Academy

The director would be authorized to certify emergency medical technicians, to issue identification cards designating the person's emergency medical skill level, and to prescribe standards for refresher training for persons so trained and certified.

Ch. 540 (AB 3033) Keene. State property. lease of certain.

Under existing law, the Director of General Services may lease for a period not to exceed 5 years real property of the state with the consent of the agency concerned.

This bill would allow the director, with the consent of the Department of Corrections, to lease for not to exceed 20 years to the County of Humboldt a certain 5.5-acre parcel for purposes of operating a refuse disposal facility.

Ch. 541 (AB 3037) Egeland Medicine.

Existing law requires applicants for a certificate to practice medicine to, among other things, pass a specified written examination. The Board of Medical Quality Assurance presently conducts such written examination under a national uniform examination system which consists of three parts each of which is given on three consecutive days.

This bill would allow specified foreign medical school graduates and any other applicant to elect to take any part or combination of parts of such written examination at one examination and complete the examination on the following examination date.

The bill would provide that the act is to be operative on and after July 1, 1978.

Ch 542 (AB 3180) MacDonald Electronic data processing.

(1) The existing law provides for the existence of a California Information Systems Implementation Committee, consisting of specified membership, for the purpose of reviewing electronic data-processing policies, developing electronic data-processing policies, and developing electronic data-processing procedures to protect the privacy and confidentiality of records and rights and privacy of the individual and reporting recommendations to the Legislature and Governor

This bill would delete provisions which specify that the Chairman and Vice Chairman of the Assembly Committee on Efficiency and Cost Control shall be a member of the committee and would provide instead that the Chairman and Vice Chairman of the Joint Legislative Audit Committee shall be a member of the committee.

In addition, this bill would require the committee to make recommendations for the effective use of electronic data-processing systems in productivity measurements.

(2) Existing law requires, with a one-time exception for conversion, any contract entered into by any consolidated data center, concerning data-processing systems design, programming, documentation, conversion, and other aspects of data-processing operations, to provide that contract personnel shall be physically on the premises of the consolidated data center when conducting such functions

This bill would revise such provisions to make them applicable to any data center and not just a consolidated data center

Ch 543 (AB 3268) Keene Cemetery districts agricultural or viticultural enterprises

Under existing law, a public cemetery district may acquire land for maintenance of a cemetery or cemeteries. There is no existing law which authorizes a public cemetery district to use land acquired for future cemetery use for purposes other than burial

This bill would authorize a public cemetery district to conduct an agricultural or viticultural enterprise on land purchased for future cemetery use if an agricultural or viticultural enterprise is an existing use on the land at the time of the purchase by the district and other specified conditions are complied with. The bill would also authorize the district to lease such land for conducting the agricultural or viticultural enterprise.

Ch. 544 (AB 3535) Fenton. Labor: occupational safety and health

Existing law requires the Division of Industrial Safety to investigate a complaint received by it that an employment or place of employment is not safe as soon as possible, but not later than 3 working days after receipt of such complaint.

This bill would require such investigation within 3 days after receipt of the complaint only in cases where the complaint charges a serious violation, as defined, and would allow the division 14 calendar days after receipt of a complaint charging a nonserious violation in which to make such investigation.

Ch. 545 (AB 4156) Perino. Determination of water rights

Existing law provides a complete procedure for the determination of water rights by administrative hearings by the State Water Resources Control Board. The law provides for petition, notice, investigation, filing of proof of rights, abstraction of proofs, and contest provisions.

This bill would change such procedures, and would expressly delete the requirement for preparation of stream system maps and add or change certain details of investigation. The bill would also add certain mailed notice requirements.

The bill would also increase the fee for filing of the proofs of claim with the board.

Ch. 546 (AB 4180) Briggs. Orange County Transit District.

(1) Under the Orange County Transit District Act of 1965, the Orange County auditor, tax collector-treasurer, and clerk serve as such ex officio officers of the Orange County Transit District.

This bill would require the district board of directors to appoint a clerk, a general manager, a counsel, a treasurer, and an auditor of the district. The board would be authorized to designate the county clerk, counsel, treasurer, and auditor to serve as such officers of the district, and to designate the county treasury as the district treasury.

(2) Under that act, the board is authorized to contract for professional services required by the district.

The bill would specifically authorize the board to contract for the services of a treasurer, auditor, counsel, clerk, and general manager.

(3) Under that act, the district auditor is required to provide the board with an annual audit of the books and accounts of the district.

The bill would free the district auditor from performing such an audit, if an audit by a certified public accountant or public accountant is otherwise provided by the board. In such a case, the audit would be performed according to requirements prescribed by the State Controller and generally accepted auditing standards, with a report to be filed with the county auditor within 12 months of the end of the fiscal year under examination.

(4) Under that act, payments of claims against the district, and disbursement of district funds, are made in the same manner as by a county.

The bill would authorize the board to provide by resolution for the payment of claims against the district without the prior specific approval of the payment by the board, subject to such conditions as prescribed by the board.

(5) Under existing law, except for the making of legal investments, the county treasurer may disburse money in his custody only on county warrants issued by the county auditor.

The bill would require the district treasurer to pay the warrants issued for the district if sufficient district funds are available.

(6) The bill would authorize the board to create such funds as may be necessary to facilitate the business of the district. Funds would be disbursed only in accordance with rules adopted by the board, and all payments would be required to be reported to the board.

(7) The bill would designate the treasurer as the custodian of district funds and would require the treasurer to keep an account of all receipts and disbursements. Payments

could only be made upon warrants duly and regularly signed by the board chairman, or any other person so authorized by the board, and by the general manager

(8) The bill would make other related changes.

(9) The bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there would be no reimbursement pursuant to that section, nor would there be any appropriation made by the bill, for two specified reasons.

(10) The bill would take effect immediately as an urgency statute.

Ch. 547 (AB 2715) Deddeh Public Employees' Retirement System: survivor benefits

The existing Public Employees' Retirement Law prescribes survivor benefits for members who are not also covered by the federal Social Security Act.

This bill would permit contracting agencies of the system to amend their contracts during the 1977 calendar year to allow their employees who are local miscellaneous members and not covered by the federal system to elect to become subject to such survivor benefits within 90 days after their employer amends its contract.

Ch. 548 (AB 2716) Deddeh. County Employees Retirement Law: retirement.

Existing County Employees Retirement Law of 1937 permits members with 10 years of service to retire at age 55.

This bill would permit members who have held seasonal or part-time county positions for 10 years and who are credited with 5 years of service to retire at age 55.

Ch. 549 (AB 2796) Deddeh. Superior courts.

Existing law provides for 33 superior court judges in San Diego County

This bill would increase the number of superior court judges in San Diego County to 35

The bill would appropriate \$120,000 to the Controller for allocation and disbursement to local agencies for costs incurred by them pursuant to this bill

Ch. 550 (AB 2899) Miller Housing.

Under existing law the low-cost housing project known as Makassar Straits Village in the City of Alameda must be demolished by a prescribed date

This bill would exempt that project from the demolition requirement until September 1, 1979, but would provide that if the project is rehabilitated to meet applicable housing standards under the State Housing Law, it may be continued in use beyond such date

The bill would take effect immediately as an urgency statute.

Ch. 551 (AB 2967) Bane. State Board of Control: meetings.

Under existing law, the State Board of Control is required to receive and act upon various claims against the state.

This bill would require the board to schedule its meetings held for the purpose of receiving and acting upon claims so that meetings are held in southern California at least once every 2 months

This bill would require the board to specify on each claim form the location and approximate frequency of meetings held for the purpose of receiving and acting upon claims. The claimant would be authorized to designate a preferred location.

Existing law provides that if the third member of the State Board of Control is not a state officer acting ex officio, such member shall receive \$25 a day for attendance at meetings, not to exceed 4 meetings a month.

This bill would increase such amount to \$50 a day not to exceed 8 meetings a month.

Ch. 552 (AB 3016) Deddeh Drivers' licenses

(1) Under existing law, owners of vehicles or holders of driver's licenses or identification cards must notify, in writing, the Department of Motor Vehicles of a change of address

This bill deletes the requirement that such notification be in writing

(2) Existing law specifies that the term of an application for a driver's license shall be six months.

This bill would increase the term to 12 months.

(3) Finally, there is no specific authority under existing law which permits the De-

partment of Motor Vehicles to place restrictions upon a driver's license, other than at the time of issuance.

This bill would authorize the department to place restrictions upon a driver's license after issuance of the license.

Ch 553 (AB 3083) Maddy. Probate: testamentary trusts.

Existing law provides that the court in which the administration of a testamentary trust is pending or, after final distribution, the court sitting in probate which has jurisdiction over a testamentary trust shall have the power to remove a trustee of a testamentary trust for various reasons affecting the trustee's ability to properly execute the trust.

This bill would provide that such court may remove one or all cotrustees of such a trust and appoint new trustees where the court determines that hostility, ill feeling, or continued lack of cooperation, among or between the cotrustees has impaired the proper administration of the trust.

Ch. 554 (AB 3139) Duffy. Cotton pest control: cotton boll weevil and pink bollworm.

Under existing law, the Director of Food and Agriculture is authorized to contract with the U. S. Department of Agriculture for the purpose of controlling, suppressing, or eradicating cotton boll weevil or pink bollworm in California, Arizona, or Mexico to prevent entry and establishment of such pests in California. To support these activities, every cottongrower is required to pay a fee of up to a maximum of \$0.75 per bale of cotton ginned. The director is required to appoint an advisory board, the Cotton Pest Control Board, composed of 9 members with the only requirement for membership being that there be at least one cottongrower from each of the major cotton-growing counties in California. All these provisions are repealed on July 1, 1977.

The bill would:

(1) Increase the maximum fee paid by a cottongrower for a bale of ginned cotton, to \$1 per bale.

(2) Increase the membership of such advisory board to 10 members and require that one member be a representative of the public and not a cottongrower.

(3) Extend the date of repeal of these provisions to July 1, 1981

Ch. 555 (AB 3175) Perino. Goat milk, fat content.

Under the existing law, market goat milk may be standardized to a milk fat content of not less than 3.3 percent.

This bill would, instead, permit market goat milk to be standardized to a milk fat content of not less than 3.0 percent.

Ch. 556 (AB 3224) Duffy. Olives. labels on containers

Under existing law, the label which covers the walls of a container of olives, except olives packed in glass, is required to have a statement of the approximate number of olives contained therein.

The bill would delete such requirement and instead require that a label which covers the walls of any container of olives bear a statement of the net drained weight of the olives contained therein.

Ch. 557 (AB 3884) Greene. Schools: earthquake safety.

Under existing law, school districts are required, prior to acquiring a school site, to have such geological and soil engineering studies made as are needed to provide an assessment of potential earthquake damage. Similar studies may be required, as deemed necessary by the Department of General Services, for the construction, reconstruction, or alteration of school buildings.

Under this bill, such studies would be required only if the proposed school site is within a special studies zone or in an area designated as geologically hazardous in the local general plan, or if the building proposed to be constructed, reconstructed or altered, is within a special studies zone, as defined.

Ch. 558 (AB 4036) Deddeh. County Employees Retirement Law: compulsory retirement.

Existing County Employees Retirement Law of 1937 contains alternative service retirement formulas and compulsory retirement age provisions for nonsafety members which require some members to retire at age 70, 67, or 65. Elective officers under some of these provisions are required to retire at the end of the first term which commences on a date following their 70th birthday.

This bill would require nonsafety members to retire at age 65 and all elective officers to retire at the end of the first term which commences on a date following their 70th birthday.

Ch. 559 (AB 4206) Thurman. Water project cost allocations.

Existing law provides for certain approved expenditures for recreation land acquisition and certain approved joint cost allocations for recreation and fish and wildlife enhancement associated with state water projects, made by the Department of Water Resources.

This bill would revise the amounts of certain approved expenditures for recreation land acquisition, and certain approved joint cost allocations for recreation and fish and wildlife enhancement associated with state water projects, made by the Department of Water Resources.

Ch. 560 (AB 4311) Craven. State Teachers' Retirement System: beneficiaries.

Existing State Teachers' Retirement Law requires members to file a statement giving the members' beneficiaries under the system. This bill would delete that requirement.

Existing law prescribes the order in which benefits are to be paid to survivors of a member when the estate is the beneficiary. This bill would delete that provision and prescribe a different order of beneficiaries.

Existing law requires any change of beneficiary to be in writing. This bill would require any change from the statutory or designated beneficiary to be in writing.

Existing law refers to the "nomination" of a beneficiary. This bill would change those references to the "designation" of a beneficiary.

Ch. 561 (AB 4458) Brown. Alcoholic beverages

The existing State Constitution permits the Legislature to provide for the issuance of licenses for various types of premises where alcoholic beverages may be sold and served for consumption upon the premises, including bona fide public eating places, as defined by the Legislature. The existing definition of "bona fide public eating place," as enacted by the Legislature, does not include ball parks, stadiums, or coliseums featuring professional sporting events.

The existing Constitution also permits the Legislature to provide for the issuance of licenses for public premises for the sale and service of beers alone. Pursuant to express legislative authority, the Department of Alcoholic Beverage Control has promulgated a regulation authorizing the issuance of a license on a quarterly basis for the sale and serving for consumption on the premises of beer in specified areas, including baseball parks and stadiums.

This bill, in addition, would define "bona fide public eating place," for the purpose of issuing a beer and wine license only, to include a ball park, stadium, or coliseum featuring professional sporting events which contain a minimum of 40,000 seats and maintain kitchen facilities, thus permitting the issuance of a license for the sale of wine for consumption on the premises at such events.

This bill would also permit the department to prescribe the types and sizes of beer and wine containers which may be sold pursuant to the bill.

Ch. 562 (AB 4480) Siegler. Weights and measures: tares.

Existing law permits the Department of Food and Agriculture to establish tares for containers and pallets used for delivering agricultural foods, and provides that such tares are to be established in accordance with rules and regulations promulgated by the Director of Food and Agriculture.

This bill, in addition, would permit the director to charge and collect fees for the establishment of such tares to be credited to the Department of Food and Agriculture

Fund for specified purposes.

Existing law authorizes the director to permit the establishment and use of tare weights for trucks and tractors used in making bulk deliveries of tomatoes.

This bill would delete such authorization.

Existing law specifies that the tare weight of any vehicle while used exclusively for the transportation of any agricultural cargo when ascertained by a public weighmaster or by a public weighmaster at large is to be accepted as the correct tare weight of that vehicle for the purpose of determining the correct weight of any such cargo transported in the vehicle for 48 hours.

This bill would delete such provision and would authorize, instead, any weighmaster to use a tare weight for a vehicle, container, or pallet, which has been determined by a public weighmaster or a public weighmaster at large, for certification purposes. It would also impose upon the owner or responsible party the responsibility for maintaining the accuracy of such tare weight within a variation prescribed by the director.

The bill would take effect immediately as an urgency statute.

Ch. 563 (AB 4485) Sieroty Industrial loan company advertising

Existing law provides that an industrial loan company which issues thrift certificates shall not use any advertisement which refers to the company's ownership by, or affiliation with any other entity unless the advertisement also discloses whether or not the owner or affiliate guarantees thrift certificates issued by the company.

This bill would limit the above provisions to thrift advertisements.

Ch. 564 (SB 1403) Rains The Political Reform Act of 1974.

The Political Reform Act of 1974 requires the Franchise Tax Board to report to the Fair Political Practices Commission and to the Attorney General its findings as to whether the expenditure limitations for candidates for statewide office or state ballot measures have been exceeded. The act further requires the Franchise Tax Board to periodically prepare reports which shall be sent to the commission and to the Attorney General.

This bill would require the board's findings relating to candidates for and committees supporting or opposing candidates for Attorney General to be reported only to the commission and to the district attorneys of Los Angeles, Sacramento, and San Francisco. This bill would also require reports relating to candidates for or committees supporting or opposing candidates for the office of Attorney General to be sent only to the commission and to the district attorneys of Los Angeles, Sacramento, and San Francisco.

Ch. 565 (SB 1465) Alquist. Municipal court judges.

Existing law provides that there shall be 11 judges in the San Jose-Milpitas Judicial District.

This bill would increase the number of judges from 11 to 12.

The bill would make additional changes in Section 74661, of the Government Code, proposed by AB 3266, to be operative only if AB 3266 and this bill are both chaptered, and this bill is chaptered after AB 3266.

The bill would also provide that no appropriation is made and the state shall not reimburse local agencies for costs incurred by them pursuant to this act for a specified reason.

Ch. 566 (SB 1473) Grunsky Courts: superior court judges

Existing law provides that there shall be 5 judges of the Monterey County Superior Court.

This bill would increase the number of judges to 7.

The bill would appropriate \$120,000 to the State Controller for allocation and disbursement to local agencies for costs incurred by them pursuant to this act.

Ch. 567 (SB 1478) Ayala. State Highway Route 142.

Under existing law, no portion of State Highway Route 142 is included within the state scenic highway system.

This bill would include that portion of Route 142 from the Orange-San Bernardino county line to Peyton Drive within the state scenic highway system.

Ch. 568 (SB 1504) Dunlap. Mountain lions taking thereof.

(1) Under existing law, until January 1, 1977, mountain lions are not game mammals and it is generally unlawful to take any mountain lion, except that a depredating mountain lion may be taken under a permit issued by the Department of Fish and Game.

The bill would extend these provisions until January 1, 1978

(2) Existing law requires the department to conduct a continuous study of mountain lions to ascertain the quantity of mountain lions in the state and to determine the best methods of sound management of the mountain lion resource and to conclude the study by January 1, 1976.

This bill would extend the deadline for conclusion of the study to January 1, 1978.

Ch. 569 (SB 1522) Dunlap. State lands transfer.

This bill would permit the Director of General Services, with the consent of the State Department of Health, to lease for a period not to exceed 50 years specified property situated adjacent to Napa State Hospital to the County of Napa, reserving mineral deposits to the state and subject to various stated conditions of transfer, for park and recreation purposes and for recreation of patients of Napa State Hospital. It would also provide for periodic review of the lease by the Director of General Services.

Ch. 570 (SB 1612) Grunsky. Courts: superior court judges.

Existing law provides that there shall be 3 judges of the Superior Court of Santa Cruz County.

This bill would increase the number of judges from 3 to 4.

The bill would also appropriate \$60,000 to the State Controller for allocation and disbursement to Santa Cruz County for costs incurred by the county pursuant to this act.

Ch. 571 (SB 1649) Rodda. Municipal utility district directors: election by wards.

Presently, the directors of a municipal utility district formed prior to January 1, 1974, and containing 1,000,000 or more population, are required to be nominated from a particular ward and are elected from such ward. In other municipal utility districts, the directors are elected at large.

This bill provides for the directors of such districts which have owned and operated an electric distribution system for at least eight years and having a population of 250,000 or more to be nominated from a particular ward and to be elected from such ward, and, following the November 1976 election of directors, requires nomination papers and in-lieu filing fee petitions to be circulated only throughout the ward.

The bill provides that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the act for a specified reason.

This bill would take effect immediately as an urgency statute.

Ch. 572 (SB 1650) Rodda. State communications facilities

Existing law provides for the California State Communications Advisory Board and specifies its functions relating to the improvement and coordination of the use of radio and other communications facilities owned and operated by state and local agencies.

This bill would abolish the board and transfer these functions to the Department of General Services. It would also make other related changes.

Ch. 573 (SB 1685) Rains. Letters and correspondence: state agencies

Under existing law, the letterhead or other prominent location on the official stationery of state and local agencies used in communication with the public is required to include the telephone number of such agency.

This bill would require, in addition, that the letterhead or other prominent location on the official stationery of each state agency used in communication with the public shall also include the address and telephone number to which inquiries regarding the subject matter of the specific communication may be made, if different from the telephone number of the agency otherwise required to appear thereon.

The bill makes certain findings declaring that the subject of the bill is of statewide interest and concern.

This bill would also provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to this

bill.

The bill would take effect immediately as an urgency statute.

Ch. 574 (SB 1704) Holden California Cadet Corps.

Existing law authorizes the Adjutant General to purchase and furnish the members of the California Cadet Corps uniforms not in excess of \$15 in value per cadet

This bill would permit the Adjutant General, with the approval of the Department of Finance, to annually determine the amount

Ch. 575 (SB 1722) Smith. Finance Department: reports.

Existing law directs the Department of Finance to prepare a report on state and local revenue bases and their relationship to deductions, credits, exclusions, exemptions, and preferential rates and authorizes the department to request from various agencies of the state whatever information is necessary to complete such report.

This bill would delete such directive and, instead, require the Department of Finance to prepare, in each odd-numbered year, such a report on state taxes and local property taxes to be included within the Governor's Budget for the 1977-78 fiscal year and for each fiscal year beginning in an odd-numbered year thereafter. The department would also be required to prepare legislation, if required, to implement its recommendations.

Ch. 576 (SB 1731) Alquist Superior court judges: Santa Clara County

Existing law provides that there shall be 26 judges of the superior court in Santa Clara County.

This bill would increase the number of judges from 26 to 29

The bill would also appropriate \$180,000 to the State Controller for allocation and disbursement to Santa Clara County for costs incurred by it pursuant to this act.

Ch. 577 (SB 1742) Zenovich. Courts: superior court judges.

Existing law provides that there shall be 8 judges of the superior court of Fresno County.

This bill would increase the number of judges from 8 to 10

The bill would also appropriate \$120,000 to the State Controller for allocation and disbursement to Fresno County for costs incurred by it pursuant to the act.

Ch. 578 (SB 1835) Stiern. Veterinary medicine: fees

Existing law specifies certain fee amounts which are collected and credited to the Board of Examiners in Veterinary Medicine Contingent Fund.

This bill would increase such amounts as follows: raises the fee of application for examination to not exceed \$90, rather than \$50, for the practical examination, and not to exceed \$90, rather than \$60, for the written examination; raises the renewal fee to not exceed \$100, rather than \$65; raises the delinquency fee to not exceed \$25, rather than a set fee of \$8; raises the fee for issuance of a duplicate license from \$5 to \$10; raises the fee for failure to report a change in the place of practice from \$10 to \$15, and raises the fee for registration of veterinary premises from \$10 to \$50

Ch. 579 (SB 1843) Holmdahl. State taxes: political contributions.

Under existing gift tax law, a transfer of property to a political organization over specified amounts is subject to gift taxes.

This bill would exempt such transfers from gift taxes.

Under existing personal income tax law, transfers by gift, of property to a political organization would not result in a disposition of property in which gain derived therefrom would be subject to be included in income, for purposes of determining income taxes, and the adjusted basis of such property in the hands of such political organization would be the donor's basis of the property, increased by gift taxes on such transfer

This bill would make such transfer by gift a disposition of property in which imputed gain derived therefrom would be subject to be included in income, for purposes of determining income taxes, if the fair market value of such property exceeds its adjusted basis. The gain recognized from such sale would be computed by deducting the cost of such property from the market value of such property on the date of the transfer

This bill would take effect immediately as a tax levy, and would become operative with respect to transfers of property made on or after January 1, 1977

Ch. 580 (SB 1850) Gregorio. Golf course architects.

Under existing law, persons who practice landscape architecture are required to hold a certificate issued by the California State Board of Landscape Architects. Existing law provides that a person who practices landscape architecture is a person who performs professional services such as consultation, investigation, reconnaissance, research, design, preparation of drawings and specifications, and responsible supervision where the dominant purpose of such service is: (1) the preservation and enhancement of land uses and natural land features; (2) the location and construction of aesthetically pleasing and functional approaches for structures, roadways, and walkways; and (3) design for equestrian trails, plantings, landscape irrigation, landscape lighting, and landscape grading.

This bill would expressly exempt golf course architects, as defined, from any requirement that they hold a certificate as landscape architects.

Ch. 581 (SB 1927) Ayala. Ground water use.

Existing law provides, in the Counties of San Luis Obispo, Santa Barbara, Ventura, Los Angeles, Orange, San Diego, Imperial, Riverside, and San Bernardino, that cessation of or reduction in the extraction of ground water by the owner of a right to extract, as a result of the use of an alternate supply of water from a nontributary source, is a beneficial use of the ground water and precludes loss of rights in ground water under such conditions.

This bill would provide for maintaining of ground water rights by use of, or replenishment by, an alternate nontributary source in the remaining counties of the state, making these provisions regarding ground water rights apply statewide.

Ch. 582 (SB 2001) Roberti. Unclaimed property

Existing law provides that the Unclaimed Property Law does not apply, except for sums payable on telegraphic money orders, to any property held by a utility which is of a type that the Public Utilities Commission of this state or a similar public agency of another state or of the United States directly or indirectly takes into consideration for the benefit of the ratepayers in determining the rates to be charged by the utility.

This bill would delete the above exemption.

Ch. 583 (SB 2040) Stiern. Juniper-Riviera County Water District; streets and highways.

Existing law provides for the powers of a county water district. Such law does not empower such a district to improve or maintain highways and streets in the district, except as required incidental to construction and maintenance of other works of the district along, under or across such highway or street.

This bill would authorize the Juniper-Riviera County Water District to open, widen, extend, straighten, surface, or otherwise improve and maintain, in whole or in part, highways and streets in such district, subject to the consent of the governing body of the county or city having jurisdiction over the highway or street.

The bill would also declare that a special statute is necessary for such purposes as a general statute cannot be made applicable.

Ch. 584 (SB 2072) Collier. Vehicles: implements of husbandry: operation upon a highway: maximum distance.

Existing state law defines for the purpose of provisions of the Vehicle Code, implements of husbandry, and lists examples thereof. One such example is any vehicle operated upon a highway only for the purpose of transporting agricultural products across a highway and is in no event operated along a highway for a greater distance than $\frac{1}{4}$ mile.

This bill would revise the above example by providing that implements of husbandry include any vehicle which is operated upon a highway only for the purpose of transporting agricultural products and is in no event operated along a highway for a total distance greater than one mile from the point of origin of the trip.

This bill would take effect immediately as an urgency statute.

Ch. 585 (SB 2142) Dills. Stephen P. Teale Consolidated Data Center.

The existing law contains no express provision providing for the existence of a revolving fund for the Stephen P. Teale Consolidated Data Center

This bill would establish, in the State Treasury, the Stephen P. Teale Consolidated Data Center Revolving Fund consisting of specified moneys

In addition, this bill would continuously appropriate moneys in the fund, without regard to fiscal years, for the payment of expenses incurred by the Stephen P. Teale Consolidated Data Center, and would require, if the balance remaining in the fund exceeds \$2,000,000 at the end of any fiscal year, that the billing rate for services rendered be adjusted downward for the following fiscal year.

Ch. 586 (AB 2610) Hart. Property taxes.

(1) Existing law specifies that certain additional property taxes shall not be invalidated and may continue in order to meet recurring costs undertaken by a local agency to comply with a federal government mandate notwithstanding the curtailment of such mandate if the curtailment occurs after the local agency has taken various actions, but that any such additional tax rate shall not continue to be levied if the curtailment of the mandate is upheld by a final court order.

This bill would provide that the additional property taxes levied prior to January 1, 1976, to pay costs mandated by the 1974 amendments to the Fair Labor Standards Act would not be invalidated if the repeal, stay or invalidation of the 1974 amendments to the Fair Labor Standards Act occurs after the local agency has made the additional levy or has incurred continuing obligations in order to implement a program or activity mandated by the 1974 amendments to the Fair Labor Standards Act.

(2) Under existing law, a newly formed park and recreation district is required to file a map or plat before January 1, 1976, in order to levy taxes and assessments within the district for the 1976-77 fiscal year. If such map or plat is not timely filed, provision is made for such a district to borrow funds for its operations for the first fiscal year

This bill would permit such newly formed districts to levy such taxes and assessments for the 1976-77 fiscal year if the required statements and maps or plat are filed on or before April 30, 1976.

(3) Existing law continuously appropriates funds to local governmental entities to compensate them for revenues lost by reason of the homeowners' property tax exemption and the partial exemption for business inventories. By authorizing new taxes and a continuation of an increase in property tax rates, this bill would have the effect of increasing such appropriations

(4) The bill would take effect immediately as an urgency statute.

Ch. 587 (AB 2774) Deddoh. Schools. certificated employees

The law presently allows a school certificated employee to each year elect to use up to six days of the employee's sick leave entitlement "in cases of personal necessity "

This bill would authorize school districts to adopt rules permitting certificated employees to use any of such six-day entitlement for absence in case of compelling personal importance.

Ch. 588 (AB 3156) McVittie. Custody proceedings: appointed counsel for child.

Existing statutes do not specifically authorize courts, in Family Law Act child custody proceedings, to appoint counsel to represent the interests of the minor children involved.

This bill would authorize courts in Family Law Act child custody proceedings, when they find it in the child's best interest, to appoint private counsel to represent the minor child involved and to provide, as specified, for payment therefor by the parents.

Ch. 589 (AB 3632) Mobley. Municipal court personnel: Tulare County.

Existing law provides that the municipal court personnel of Tulare County shall be paid salaries based on a specified schedule of monthly salaries. Such personnel receive automatic temporary salary adjustments to correspond with any adjustments in salary approved by the board of supervisors for county employees with comparable responsibility.

This bill would provide that such personnel shall receive biweekly salaries based on

a specified schedule of hourly rates. The salaries of certain of such personnel would also be increased.

Notwithstanding Section 2231 of the Revenue and Taxation Code, the bill would make no reimbursement nor appropriation because of a specified reason

Ch. 590 (AB 3483) Garamendi. Judges: Alameda and El Dorado Counties.

Under existing law there are 28 superior court judges in Alameda County and 2 superior court judges in El Dorado County.

This bill would provide for 29 superior court judges in Alameda County and for 3 superior court judges in El Dorado County.

The bill would also appropriate \$120,000 from the General Fund to the State Controller for allocation and disbursement to local agencies to reimburse such agencies for costs incurred by them pursuant to this bill.

Ch. 591 (AB 3572) MacDonald. Municipal courts: Ventura County.

Under existing law there are 8 municipal court judges in Ventura County and 9 municipal court judges in that county as of July 1, 1976

This bill would provide that there would be 9 municipal court judges in Ventura County and 10 municipal court judges as of July 1, 1977.

The bill would also adjust the composition and compensation of some court personnel.

This bill would provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government

Ch. 592 (SB 2108) Carpenter. Wilderness areas: aircraft overflights.

The California Wilderness Act establishes a wilderness preservation system and generally prohibits the landing or hovering of aircraft and the flying of aircraft lower than 5,000 feet above the ground in wilderness areas. An exception from such prohibition is made for the aerial stocking of fish and the conduct of aerial surveys of wildlife. Other provisions of law make it unlawful to shoot at a game bird or mammal, including a marine mammal, from an airplane.

This bill would decrease the elevation below which the flying of aircraft is generally prohibited in wilderness areas from 5,000 feet to 2,000 feet above the ground. The bill would also make technical, nonsubstantive changes

Ch. 593 (SB 1275) Holmdahl. Environmental impact reports: actions.

The existing law (the Environmental Quality Act of 1970) generally requires public agencies to prepare an environmental impact report on projects they propose to carry out or approve which may have a significant effect on the environment. The act authorizes actions to attack, review, set aside, void, or annul an act or decision of a public agency on the grounds of noncompliance with such act.

This bill would require courts to give preference over other civil actions to such actions, including the hearing of any such action on appeal from the decision of a lower court.

Ch. 594 (SB 1401) Rains. Political Reform Act of 1974 enforcement.

The Political Reform Act of 1974 provides that city attorneys have criminal and civil enforcement responsibilities with respect to violations of the act occurring within cities.

This bill would delete the criminal and civil enforcement responsibilities of city attorneys other than elected city attorneys of charter cities and vest such responsibilities with the district attorneys.

The act provides that the Fair Political Practices Commission is the civil prosecutor with respect to state agencies, including the commission.

This bill would provide, instead, that the Attorney General is the civil prosecutor with respect to the commission.

This bill would take effect immediately as an urgency statute

Ch. 595 (SB 1542) Smith. Real estate developments: owners' association

Existing law provides that civil actions must be prosecuted in the name of the real party in interest, except as otherwise provided, and makes no specific provision for the standing of owners' associations of, condominiums, community apartment projects, or individual interest subdivision projects to sue as real party in interest for injury to

commonly owned lots, parcels, or areas occasioned by the acts or omissions of others without the joinder of the individual owners of such projects.

This bill would make such specific provision.

Ch. 596 (SB 1797) Ayala. Water.

Existing law requires the State Water Resources Control Board and the Department of Water Resources to charge specified fees for copies of public records

This bill would repeal such provision, and would make other nonsubstantive changes.

Ch. 597 (SB 1960) Gregorio. Community care facilities: licenses and special permits.

(1) The California Community Care Facilities Act currently requires an applicant desiring a hearing on the denial of an application for a license for a community care facility or a special permit to provide a specialized service therein, to present a written petition for a hearing to the State Department of Health within 10 days after the notice of denial is mailed to the applicant

This bill would extend the period for submitting such a petition to the department to 15 days after the department mails the notice that the application has been denied.

(2) The California Community Care Facilities Act requires, in proceedings for the suspension or revocation of a community care facility license or special permit to offer a specialized service, that the Director of Health set the matter for hearing within 5 days after receiving a notice of defense from the holder of the license or special permit.

This bill would extend the period within which the director is required to set the matter for hearing to 30 days from receipt of such a notice of defense.

Ch. 598 (AB 205) Duffy. Medical assistants.

Existing law authorizes specified licensees of the healing arts to administer medications by injection and to withdraw blood and only authorizes specified unlicensed personnel employed in clinical laboratories or clinics or hospitals to withdraw blood for test purposes. Existing law does not provide for the licensing or regulation of persons calling themselves medical assistants

This bill would authorize a medical assistant, as defined, to administer medication by intramuscular injection and to perform skin tests upon the specific authorization and under the direct supervision of a physician and surgeon. This bill would define direct supervision for purposes of the act.

The bill would require the Division of Allied Health Professions of the Board of Medical Quality Assurance to establish standards for the minimum amount of hours of appropriate training for a medical assistant.

Ch. 599 (AB 1125) Alatorre. Public works: payroll records.

The existing law requires every contractor and subcontractor employing workmen on a public work to keep accurate records showing the name, occupation, and actual wages paid to each worker employed by him in connection with the public work, such records to be kept open at reasonable hours to the inspection of the body awarding the contract, and the Division of Labor Standards Enforcement.

This bill would instead require every such contractor and subcontractor to keep an accurate payroll record, showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual wages paid to each journeyman, apprentice or worker, such records to be available for inspection at reasonable hours, with a copy being made available to the employee or his authorized representative, the Division of Labor Standards Enforcement, and the Division of Apprenticeship Standards. The awarding body would be required to retain such records for 90 days after completion of the contract. The contractor or subcontractor upon written notice would be required to file with the body awarding the contract a certified copy of the payroll records within 10 days after a complaint has been filed alleging payment of less than the prevailing wage on a public works project.

This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill

Ch. 600 (AB 1748) Duffy. Health manpower planning and education.

Existing law provides for a state medical contract program to provide aid for education and training in the area of primary care family physicians' services and provides for a Health Manpower Policy Commission with specified duties in such connection.

The bill would require the State Department of Health to prepare a Health Manpower Plan containing specified elements for California. The bill would require the State Department of Health to issue an updated Health Manpower Plan to the Legislature, Governor, and the California Postsecondary Education Commission on or before September 1, 1977, and biennially thereafter. The bill would require the California Postsecondary Education Commission to issue a Health Sciences Education Plan, based on the Health Manpower Plan issued by the state department, and to issue an updated Health Sciences Education Plan to the Legislature and the Governor on or before March 1, 1978, and biennially thereafter.

Ch. 601 (AB 1823) Montoya. Labeling: meat (chopped or ground beef or hamburger).

There is no existing statutory law requiring the amount of fat in chopped or ground beef or hamburger sold or offered for sale at retail to be specified on the label. However, it is unlawful under existing law to sell or offer for sale any food, the labeling of which is false or misleading in any particular.

This bill would make it unlawful to sell or offer for sale in any retail food production and marketing establishment or frozen food locker plant any chopped or ground beef or hamburger which is labeled to describe or suggest the quality, relative leanness, or fat content of such chopped or ground beef or hamburger, unless the label also contains an accurate disclosure of relative fat content by weight, as prescribed by this bill, except that such disclosure could alternatively be made by a prescribed sign placed immediately adjacent to the counter upon which the chopped or ground beef or hamburger is displayed.

The bill would also make it unlawful to advertise or otherwise represent the relative fat content of chopped or ground beef or hamburger [except] * as specified by the bill.

The bill would require the Department of Consumer Affairs to conduct a study monitoring the impact of the bill on industry and consumers and to prepare and deliver a report to the Legislature by December 31, 1977.

This bill would provide that there would be no appropriation made by it to reimburse local agencies for state-mandated local program costs incurred by them pursuant to this bill, for a specified reason.

Ch. 602 (AB 2125) Knox. Optometry: fees for certificates and licenses.

Existing law prescribes maximum amounts of fees which the State Board of Optometry is permitted to fix for purposes of obtaining certificates and licenses to practice optometry.

This bill would substantially revise the existing amounts of fees which the board is permitted to fix for purposes of obtaining certificates and licenses to practice optometry by, except with respect to delinquency fees, increasing such amounts.

This bill would take effect immediately as an urgency statute.

Ch. 603 (AB 2210) Z'berg. Rivers, streams, and lakes: disruption of flow or bed, channel or bank

Existing law provides (1) that any state or local governmental agency, or public utility is required to submit a general plan of a proposed project, as specified, which will divert, obstruct, or change the bed or natural flow of any river, stream, or lake designated by the Department of Fish and Game; (2) that a private person is required to notify the department of any proposed project to be carried on by such person which would substantially divert, obstruct, or change the flow or bed of any river, stream or lake, (3) that upon the determination by the department that either the private person's project or the governmental agency's project will substantially adversely affect any fish or game resource, the department is required to make an onsite inspection of the project and to make proposals as to measures necessary to protect fish and wildlife, (4) that the department is required to submit such proposals to the person or agency within 30 days of the receipt by the department of such person's or governmental agency's notice of the

proposed project or proposed activity, or within a time limit mutually agreed upon in writing; (5) that upon failure of the department and the person or governmental agency or public utility conducting such project to agree on such proposals, an arbitration panel will be established, as specified, to make binding agreements regarding modification of the project; (6) that a notice by such governmental agencies which invites bids on such a project which specifies the location of possible materials, such as a gravel bed, and which would be subject to the above provisions, must contain such proposals or modifications; and (7) that such provisions would only be effective until 1976, as specified.

The bill would repeal and add the same provisions except that the new provisions would (1) be effective indefinitely; (2) would apply when a fish or wildlife resource exists or derive benefit from such river, stream, or lake; (3) provide that such notice only must be given, in case of a private person, for all such substantial diversions, obstructions or changes to rivers, lakes, or streams designated by the department, excepting from this requirement of notice timber harvesting plans upon specified conditions; (4) require the department when proposing modifications to notify the agency, utility, or person of the existence of the fish or wildlife resource together with a description thereof; (5) clarify existing law by specifically providing that in cases of projects conducted by private persons, as well as governmental agencies and public utilities, the department would make an onsite inspection of such projects if the department determines such investigation is necessary or if the private person requests such investigation; (6) require the department to meet with the affected agency or person upon request for the purpose of developing mutually acceptable proposals; (7) permit the appointment of the arbitration panel to be deferred by mutual consent of the parties; (8) specify the circumstances under which any project which involves routine maintenance and operation of water supply, drainage, flood control, or waste treatment and disposal facilities will be exempt from or subject to the requirements of the bill after the initial notification and agreement with the department; (9) specifically provide that it is unlawful for a private person to engage in such a project unless such project would conform to the proposals of the department or the panel of arbitrators, but that if the department fails to act within 30 days of receipt of the notice, the person may commence such activity, and (10) make technical, nonsubstantive changes.

Ch. 604 (AB 2244) MacDonald. Sanitarians: fees: advisory committee.

Existing law requires the State Department of Health to certify, after payment of prescribed fees of specified amounts, registered sanitarians.

This bill would revise the amount of such fees that sanitarians would be required to pay to the department for registration and examination. The bill would establish a fee for an inactive registered sanitarian, as specified.

The bill would require the Director of Health to appoint a sanitarian registration certification advisory committee with prescribed membership to advise and make recommendations for establishment of rules and regulations with respect to the administration and enforcement of provisions relating to health officers and ordinances.

Ch. 605 (AB 2738) Egeland. State Teachers' Retirement System: benefits.

Existing State Teachers' Retirement Law requires school districts and other employing agencies to notify all members who terminate employment as to their eligibility to receive retirement benefits and to notify those with less than 5 years' credited California service that the only benefit for which they are eligible at any time is the refund of accumulated contributions.

This bill would require notice only to members who terminate employment with less than 5 years of credited California service, and would require the notice to include a statement of actions which may be taken by the board if the accumulated contributions are not withdrawn.

This bill would take effect immediately, as an urgency statute.

Ch. 606 (AB 2882) Arnett. School buildings.

Under existing law, school property and buildings may be jointly occupied by a school district and private entities, except a building which is used in whole or in part for classroom purposes.

This bill would delete the prohibition against joint occupancy of school buildings which are used for classroom purposes.

This bill would express legislative intent that school districts be authorized to make vacant classrooms in operating schools available for rent or lease to other school districts, educational agencies, governmental units, nonprofit organizations, community agencies, professional agencies, commercial and noncommercial firms, corporations, partnerships, businesses, and individuals. The bill expresses legislative intent to have the community involved in decisions regarding the use of excess school facilities.

This bill would require the governing board of a school district, prior to the sale, lease, or rental of real property, other than specified short-term rentals to appoint a district advisory committee having specified advisory and other functions concerning the use of school property.

Under existing law, school property is subject to local zoning requirements, but the applicability of such requirements may be waived by the school district governing board. Under existing law, school buildings are not subject to the building code requirements of local jurisdictions.

This bill would provide that whenever a school building is jointly occupied by a school and by a private person, firm, or corporation, the building, or that portion thereof which is occupied by the private person, firm, or corporation, shall be subject to the zoning and building code requirements of the local jurisdiction in which the building is situated.

The bill provides that, for specified reason, no appropriation is made to reimburse school districts for costs incurred by them pursuant to this act.

Ch. 607 (AB 2893) Chappie Public lands: timber harvesting

Existing provisions of law permit the State Lands Commission to sell timber from timberlands belonging to the state.

This bill would authorize the commission to provide for the harvesting of timber on such lands that are totally surrounded by, or contiguous to, a national or state forest at the same time that surrounding or adjacent federal- or state-owned timber is harvested, whenever it is in the best interests of the state to do so and after notice to the Secretary of the Resources Agency. The commission would also be authorized to enter into agreements with the United States or the Division of Forestry for the joint offering of timbered lands under the commission's jurisdiction with other state and federal lands for timber harvesting contracts. The commission would be required to report to the Legislature by December 1 of each year, a summary of actions taken pursuant to such provisions during the preceding 12 months, including any comments made by interested state agencies.

Ch. 608 (AB 2980) Craven Courts: destruction of records

Under existing law all papers and records filed or kept in criminal proceedings in municipal and justice courts, other than the docket and minutes, as defined, may, upon the order of the presiding judge of any such court, be destroyed after the lapse of five years following the final determination or forfeiture of bail in the proceeding.

This bill would instead provide for minimum retention periods of 2, 4 or 5 years for papers and records depending on the type of violation.

Ch. 609 (AB 3064) Wornum. Foreign medical graduates.

Existing law authorizes physicians, who are legally admitted to the United States, and who seek postgraduate study in an approved medical school either as a fellow, instructor, or exchange professor to participate in professional activities of the department in a medical school to which they are appointed if they are granted permission to so participate by the Board of Medical Quality Assurance.

This bill would authorize physicians who are legally admitted to the United States on a temporary basis and who seek postgraduate study to participate in a fellowship program in a hospital if such physician is approved by the Board of Medical Quality Assurance, is supervised by a board-certified and approved licensed physician and participates in a program which is approved by the board. The bill would authorize the board to determine suitable fees for approval of the physician, the program and the supervising physician.

Ch. 610 (AB 3082) Maddy Support orders: venue

Existing law provides that in any proceeding to determine parental relation or to enforce an obligation of support of a minor child, the county in which the child resides is the proper county for the trial of the action. Existing law makes no specific provision for the proper county for the trial of an action to establish and enforce a foreign judgment or order for child support.

This bill would correct an obsolete section reference relating to the establishment of a parental relation, and would specifically provide that the county in which a child resides is the proper county for the trial of an action to establish and enforce a foreign judgment or court order for the support of a minor child.

Ch. 611 (AB 3110) Arnett. Aeronautics funds: payments to cities.

Present law requires that public entities receiving certain payments of \$5,000 annually from the Aeronautics Account in the State Transportation Fund use such money for airport and aviation purposes, as specified, and there are provisions requiring matching funds.

This bill is a special act relating only to the County of San Mateo and would authorize an allocation of \$55,000 to that county pursuant to an application made for that money during the period July 1, 1975, to June 30, 1976.

Ch. 612 (AB 3127) Duffy Liens: child support judgments

Under existing law a lien created by recordation of a child support order can be released by certification by the judgment debtor that all amounts have been paid or satisfied.

Under existing law judgments against health care providers can be paid by installments and be released after payment by the certificate of the judgment debtor.

This bill would, in the event of legal disability of any such judgment debtors, permit an affidavit of the personal representative of the judgment debtor to release such lien.

This bill would additionally provide that where a court order requires child support payments to be made to a county or court officer designated by the court in a specified form, such certificate will not affect the lien created by the recordation of the judgment or order unless the certificate is approved in writing by the county or court officer.

This bill would provide that neither an appropriation is made nor an obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill.

Ch. 613 (AB 3316) Chel. Local government: ballot measures.

Existing law requires city, county, and district clerks to mail a complete copy of an ordinance or measure which is the subject of an initiative or referendum to each voter.

This bill would, instead, allow city, county, and district clerks, at the direction of the local legislative body, to mail a synopsis of such ordinance or measure to each voter if such ordinance or measure exceeds 1,000 words in length and a statement is included advising voters that a complete copy will be mailed to them, upon request, postage prepaid.

Ch. 614 (AB 3345) William Thomas Mobilehome parks

Under existing law, a mobilehome park is any area or tract of land where one or more mobilehome lots are rented or leased or held out for rent or lease to accommodate mobilehomes used for human habitation.

This bill would change the definition of mobilehome park to any area or tract of land where two or more such mobilehome lots are rented or leased.

Ch. 615 (AB 3370) Cullen California Administrative Register

Existing law requires the Office of Administrative Hearings to supply to each standing committee of both houses of the Legislature a copy of each issue of the California Administrative Register and any supplement thereto.

This bill would ~~direct the office to also supply a copy of notices of proposed actions~~ [revise such provisions to require the office to supply a copy of an issue of the California Administrative Register, and any supplement thereto, only when such issue contains notices of proposed action]. *

Ch 616 (AB 3379) Arnett Grand juries.

Under existing law, San Mateo County is authorized to have only 1 grand jury

This bill would authorize the presiding judge of the superior court for San Mateo County, upon approval of the Board of Supervisors of San Mateo County, to order the impanelment of 1 additional grand jury under specified circumstances. Such additional grand jury would have exclusive jurisdiction for inquiring into public offenses committed or triable within the county and presenting them to the court by indictment

Ch 617 (AB 3398) Dixon Injury to property

Under existing law, any person who injures facilities or equipment of telegraph, telephone, electrical, or gas corporations is liable for damages. Existing law specifies the measure of damages, which includes administrative and general expenses.

This bill would add similar provisions for damage to facilities or equipment of municipal corporations.

Ch. 618 (AB 3419) Egeland Community colleges. work experience programs

Currently, the law authorizes community college districts to offer work experience education programs in areas outside the district but contiguous thereto.

This bill would delete the requirement that the area in which the programs are offered be contiguous.

Ch 619 (AB 3532) Fazio Vehicles: licenses: compromise penalties

Under existing law, the Department of Motor Vehicles has authority to suspend or revoke a license granted by the department for an automobile dismantler, manufacturer, manufacturer branch, distributor, distributor branch, transporter, or dealer

This bill would authorize the department and the licensee to agree to a monetary sanction of not to exceed \$150 in lieu of suspension or revocation proceedings, except when the alleged misconduct involves injury to, or fraud against, the public or the state

Ch 620 (AB 3559) Chel Probate: determination of heirship.

Under existing law prior to the filing of a petition for final distribution of an estate any person claiming to be an heir of the decedent or entitled to distribution of the estate or any part of the estate may file a petition praying that the court determine who is entitled to distribution

This bill would permit the administrator, upon prior order of the court, to file objections to such petitions and participate in the proceedings as a party in order to assist the court in its determination

Ch. 621 (AB 3569) Egeland. Medi-Cal.

Under current law, a person liable for injury to a Medi-Cal recipient is also liable to Medi-Cal for the value of benefits provided. Enforcement proceedings are the same as those against an employer or workmen's compensation insurer where payments have been made or a liability incurred by the employer or the insurer under the workmen's compensation laws

This bill would revise such third party liability, among other things, by specifying the enforcement proceeding under the Medi-Cal Act, rather than under the workmen's compensation laws, by requiring notice of the action or claim within 30 days of filing, by authorizing further liens for payment of additional benefits arising out of the same claim, and by limiting Medi-Cal recovery to not exceed one-half of the beneficiary's recovery after deducting for certain fees, costs and medical expenses

The bill would also provide that where the action is brought by the beneficiary alone the director's claim for reimbursement is limited to Medi-Cal expenditures for the beneficiary less a percentage for the director's share of attorney fees and costs

Ch 622 (AB 3581) Siegler Bread.

Existing law authorizes the baking and sale at the bakery of eight-ounce loaves of bread

This bill would denominate such bread as the "standard small loaf" and authorize the baking and sale at the bakery of smaller loaves.

Ch 623 (AB 3707) Mobley California National Guard—indemnification

The existing law contains no express provision authorizing the Commanding General of the State Military Forces to enter into agreements to provide for joint and several liability and indemnity to private agencies and persons for injuries to third parties arising out of negligent acts or omissions of California National Guard members while involved in on-the-job training

This bill would authorize the Commanding General of the State Military Forces to enter into agreements to provide for joint and several liability and indemnity to private agencies and persons for injuries to third parties arising out of negligent acts or omissions by a member of the California National Guard while involved in on-the-job training

Ch 624 (AB 3715) Keene. Health.

There is no existing statutory provision that specifies that all administrative proceedings under the Medical Practice Act which are not final prior to December 12, 1975, shall be brought to a final determination under the procedures set forth in the Medical Practice Act, as amended on December 12, 1975, and as thereafter amended by the Legislature

This bill would add such a statutory provision, and would delete an obsolete provision

This bill would take effect immediately as an urgency statute

Ch. 625 (AB 3783) Lockyer. State highways: Route 61.

Existing law prohibits the construction of any portion of State Highway Route 61 as a freeway north of Hegenberger Road, except for a direct connection across San Leandro Bay to Route 17 at the 66th Avenue Interchange.

This bill would delete the above exception so as to prohibit the construction of any portion of Route 61 as a freeway north of Hegenberger Road

Ch. 626 (AB 3797) Thurman Motor vehicle fuel pump license fees

Existing law provides that the license fee for a motor vehicle fuel pump license is \$3 50 per pump.

This bill would raise the fee to \$5 00 per pump.

Ch 627 (AB 3920) Deddeh. County Employees Retirement Law benefits.

Existing County Employees Retirement Law of 1937 limits retirement allowance increases to prescribed annual cost-of-living adjustments

This bill would authorize one-time increases of service and disability allowances for persons whose allowance did not exceed \$500 per month on July 1, 1976. The bill would prohibit an allowance increase to more than \$500. The provisions would not be applicable in any county until adopted by the county board of supervisors.

Ch 628 (AB 3944) Rosenthal. Health facilities: licenses.

Under existing law, a skilled nursing or intermediate care facility that has not been previously licensed must initially be licensed by the State Department of Health under a 6-month provisional license.

This bill would require that an applicant for a license for a skilled nursing or intermediate care facility, upon a change of ownership for an existing facility, who has not been previously licensed be initially licensed under a 6-month provisional license

Ch 629 (AB 4035) Deddeh County Employees Retirement Law reciprocal benefits

Existing County Employees Retirement Law of 1937 permits members who left county service prior to December 31, 1971, and thereafter again became a member to become eligible for reciprocal benefits regardless of the time that elapsed between service with the reciprocal public retirement systems

This bill would make those provisions inapplicable to any members entering service

after December 31, 1977.

Ch 630 (AB 4126) Cullen State park system.

Under existing law, the Department of Parks and Recreation is required to issue annual permits for camp trailers or campers to park overnight at designated coastal beach parking areas during specified times of the year.

This bill would make the annual permits applicable to any self-contained recreational vehicle, as defined, rather than a camper trailer or camper

Ch 631 (AB 4211) Fazio Housing authorities and redevelopment agencies.

(1) Present law generally requires the appointment of 2 tenant commissioners to a housing authority, including housing authorities where the city or county governing body has declared itself to be the commissioners of the authority. Where the governing body has so declared itself to be the commissioners of the authority and has established a prescribed housing commission, current law permits the appointment of 2 tenants to such housing commission in lieu of appointing 2 tenants as commissioners of the housing authority, provided such housing commission does not have more than 7 members.

This bill would additionally permit such tenant appointments to housing commissions having not more than 9 members, in lieu of tenant appointments to the housing authority, where the housing commission also serves as a prescribed community redevelopment commission, and would permit reorganization of such a joint commission for such purpose.

(2) Under present law, the legislative body of a community which has declared the need for a community development commission to function in the community may declare itself to be the commission, but in such case the legislative body is required to appoint 2 additional commissioners to the commission who are tenants of the housing authority if the housing authority has tenants.

This bill would authorize the legislative body of a community which has declared itself to be the community development commission to create a community development committee and to appoint 2 tenants of the housing authority to such committee in lieu of appointing 2 tenants to the community development commission. The duties of such committee would include review of all matters before the community development commission, except emergency matters and matters excluded by resolution of the committee. Additionally, the legislative body could delegate any of its functions as the community development commission to such committee.

(3) Under the Community Redevelopment Law and the Housing Authorities Law, the governing body of a community (including a city or county) activating the redevelopment agency or housing authority may declare itself to be the redevelopment agency or the commissioners of the housing authority. In such event, the governing body is authorized to appoint a community redevelopment commission in the case of a redevelopment agency, or a housing commission in the case of a housing authority. Such a redevelopment commission is required to prepare and hold hearings on redevelopment plans for submission to the governing body and to perform advisory functions delegated to it by the governing body. Such a housing commission may have only the advisory functions prescribed by ordinance of the governing body.

This bill would permit the governing body of a community which has so designated itself as the redevelopment agency or the housing authority commissioners to delegate any of its functions in such capacity to the community redevelopment commission with respect to a redevelopment agency, or to the housing commission with respect to a housing authority.

This bill would also specify that the duties of the housing commission include review of all matters before the ~~redevelopment agency~~ [housing authority] *, except emergency matters and matters excluded from consideration by the commission.

(4) This bill would make a clarifying change.

(5) This bill would take effect immediately as an urgency statute.

Ch 632 (AB 4214) Fazio. Agricultural products: processors, storers, dealers, and distributors.

Under existing law, there are comprehensive provisions to promote, foster, and encourage the intelligent and orderly marketing of agricultural products through coopera-

tion, eliminate speculation and waste with regard to agricultural products, make distribution of agricultural products between producer and consumer as direct as can be efficiently done; and stabilize the marketing of agricultural products. These provisions include:

- (1) Licensure of persons involved in such activities
- (2) Maintenance of records by such licensees, including records of a licensee's business transactions and financial condition.
- (3) Limitation on such licensure of adjudged bankrupts
- (4) Criminal penalties for prohibited acts

This bill, in addition to revising the above listed provisions, would add other provisions, including provisions that would prohibit certain licensees from employing a person who has been responsibly connected with any other such licensee whose license is currently revoked or suspended, without approval of the Director of Food and Agriculture and meeting bonding requirements.

This bill would also provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill

Ch 633 (SB 1739) Roberts Municipal affairs: eligible securities

Existing law specifies what kinds of securities are eligible to secure deposits of public funds of cities and counties.

This bill would specify that among those securities eligible are the guaranteed portions of small business administration loans, so long as such loans are obligations for which the faith and credit of the United States are pledged for the payment of principal and interest

Ch 634 (SB 1744) Ayala Estates, inventory and accounting

Existing law specifies that a conservator must, within 2 months after appointment, file with the court an inventory which has been appraised by himself and an inheritance tax referee in the manner provided for the inventory and appraisal of estates of decedents

This bill would make an exception to the requirement that an inheritance tax referee take part in the appraisal in the case of a conservatorship initiated pursuant to the Lanterman-Petris-Short Act when there is to be no sale of the estate of the ward or conservatee and require the conservator to make inventory and appraisal within 90 days after appointment.

This bill would incorporate additional changes in Sections 1550 and 1901 of the Probate Code proposed by Assembly Bill 2205 to be operative only if Assembly Bill 2205 and this bill are both chaptered and become effective January 1, 1977, and this bill is chaptered last

Ch 635 (SB 1985) Holmdahl Future interests

Under the existing gift tax law, certain gifts to individuals under age 18 are not considered to be future interests

This bill would provide that these gifts to individuals under the age of 21, rather than 18, are not future interests for purposes of the gift tax law

Ch 636 (SB 2018) Ayala Water bonds: local agencies

Existing law generally requires a $\frac{2}{3}$ majority affirmative vote in a bond election of a local public agency to authorize such agency to issue such bonds

Existing law however, authorizes, among various other local agencies a municipal water district which is a member agency of, or is located within a member agency of, a metropolitan water district, which has executed a contract with the state for a water supply to have only a simple majority affirmative vote at a bond election for a water supply to be authorized to issue such bonds

This bill would, instead, authorize any local public agency other than a city or county which is a member of, or located ~~with~~ [within] * a member agency of, a metropolitan water district which has executed a contract with the state for a water supply to have only a simple majority affirmative vote at a bond election for a water supply to be authorized to issue such bonds

Ch 637 (SB 2093) Deukmejian Controlled substances evidence

Under existing law, in a prosecution under the California Uniform Controlled Substances Act, proof that a defendant received or possessed an amount of controlled substances greater or lesser than the amount accounted for by required records is prima facie evidence of guilt.

This bill would make such proof prima facie evidence of a violation of the Schedule II controlled substance recordkeeping provision, rather than prima facie evidence of guilt.

Ch 638 (SB 2141) Rains Horseracing.

Existing law defines the term "Arabian horse" as any horse that meets the requirements of and is registered by the Arabian Horse Club Registry of America and is approved by the Arabian Horse Racing Association of America

This bill would delete the requirement with regard to approval from the Arabian Horse Racing Association.

Ch 639 (AB 2254) Dixon School certificated employees.

Existing law authorizes the governing board of any school district to employ persons possessing an appropriate credential as instructors in classes conducted under contract with public or private agencies, or other categorically funded projects of indeterminate duration.

This bill would authorize a governing board to employ persons possessing an appropriate credential to perform services conducted under such circumstances, rather than only as instructors in classes, and would extend such authority to county superintendents of schools, as well as governing boards.

Ch. 640 (AB 2457) Garamendi. High school interscholastic football: protective equipment—certification.

Existing law does not provide for any certification of protective equipment used in high school interscholastic football.

This bill would prohibit the wearing of football helmets by participants in high school interscholastic football after the commencement of the 1980-81 school year, unless such equipment has received a prescribed certification by the Department of Education and permit the department to accept the certification of the National Operating Committee on Standards for Athletic Equipment or any other recognized certifying agency in the field. The bill would make legislative findings in such connection.

The bill would declare that its provisions are not to be construed as relieving school districts from the duty of maintaining football protective equipment in a safe and serviceable condition.

Ch. 641 (AB 2849) Knox. Corporations.

Existing law provides that shares issued by stock corporations are not generally assessable, but if the articles of incorporation confer such authority upon the corporation or the board of directors, and subject to any limitations contained therein, the directors may in their discretion, levy and collect assessments upon all shares of any and all classes made subject to assessment by the articles.

This bill would delete this provision.

Effective January 1, 1977, the law will provide that the general corporation law provisions set forth in Chapter 682 of the Statutes of 1975, apply to business corporations organized under any predecessor general corporation law or by any act of the Legislature creating a private corporation prior to the enactment of a general incorporation statute.

This bill would delete the above provision; and would instead provide that the general corporation law provisions of Chapter 682 of the Statutes of 1975 apply to domestic corporations which are not subject to enumerated provisions and which are not organized or existing under any statute of this state other than the Corporations Code. The bill would also make certain conforming changes to reflect the change above.

Effective January 1, 1977, the law will provide that the Secretary of State shall file a document as of any requested future date if the document is received in the Secretary of State's office at least one business day prior to the requested date of filing.

This bill would limit the permissible period of future filing to not more than 90 days after the document's receipt.

Effective January 1, 1977, special provisions will be made to regulate foreign corporations transacting intrastate business, as defined. Certain foreign corporations which engage in the business of making or investing in loans and which engage in certain other activities will be specifically excluded, under such provisions, from being considered as transacting intrastate business.

This bill would broaden such exclusion to cover any foreign lending institution.

Effective January 1, 1977, the law will provide that shares of a parent owned by a subsidiary shall not be entitled to vote on any matter.

This bill would provide that for the purposes of the above, "subsidiary" is defined as a corporation, shares of which possessing more than 25 percent of the total combined voting power of all classes of shares entitled to vote are owned directly or indirectly through one or more subsidiaries.

Effective January 1, 1977, the law will provide that no shareholders' agreement, which relates to the affairs of a close corporation shall be invalid as between the parties thereto on the grounds that it is an attempt to treat the corporation as if it were a partnership.

This bill would provide that the original issuance of shares to a new shareholder who does not become a party to the agreement terminates the agreement, except that if the agreement so provides it shall continue to the extent it is otherwise enforceable.

Effective January 1, 1977, the law will provide for authorized and prohibited transactions of a board of directors meeting, unless otherwise specified in the corporate articles or bylaws.

This bill would provide that among the prohibited transactions, which bylaws or articles may not modify, is that a lesser vote than a majority of the directors present at a meeting is the act of the board.

Effective January 1, 1977, the law will provide that a corporation shall have the power to indemnify any agent of the corporation against expenses, judgments, fines, settlements, and other amounts incurred in connection with any proceeding if such agent acted in good faith and in a manner reasonably believed to be in the best interests of the corporation, and, in the case of a criminal proceeding, had no reasonable cause to believe the conduct was unlawful.

This bill would provide that this provision will not apply to any proceeding against a trustee, investment manager, or other fiduciary of an employee benefit plan in his capacity as such.

Effective January 1, 1977, the law will provide that a corporation must have specified corporate officers who perform those duties prescribed in the bylaws or as prescribed by the board.

This bill would also provide that a corporation's president, or if there is no president, the corporation's chairman of the board is the general manager and chief executive unless otherwise provided by the articles or bylaws.

Effective January 1, 1977, the law will provide that unless otherwise provided in the articles any action which may be taken at a meeting may be taken without a meeting and without prior notice if consented to in writing by the number of shares necessary to authorize such action.

This bill would provide that directors may not be elected by written consent except by unanimous consent of all shares entitled to vote.

Effective January 1, 1977, the law will provide that after shares have been issued, amendments may be adopted if approved by the board and approved by the outstanding shareholders.

This bill would provide that provisions in the articles of incorporation calling for a larger proportion of the votes of the directors or shareholders to carry an issue than those provided for in the general corporation law shall not be altered, amended or repealed except by the greater vote unless otherwise provided for in the articles. It would also provide that an amendment, reducing the vote required for an amendment to the articles, may not be adopted unless approved by two-thirds of each class of outstanding shares.

Effective January 1, 1977, the law will provide that the articles or shareholders' agreement may provide for a lesser vote than that required by statute in any merger in which the disappearing corporation is a close corporation and the surviving corporation is not

This bill would delete the provision that a shareholders' agreement may provide for such lesser vote.

Effective January 1, 1977, the law will provide that any shareholder, in a reorganization, who has a right to require the corporation to purchase his shares for cash shall make a written demand upon the corporation for the purchase of such shares at their fair market value.

This bill would provide that the statement of fair market value constitutes an offer by the shareholder to sell the shares at such price.

Effective January 1, 1977, the law will require the board of directors to cause an annual report to be sent to the shareholders not later than 120 days after the close of the fiscal year, unless such requirement is waived by bylaws.

This bill would require such annual report to be sent to shareholders at least 15 days prior to the annual meeting of shareholders.

Effective January 1, 1977, the law will provide that every director of a foreign corporation shall have the absolute right to inspect and copy documents of every kind, and to inspect the physical properties of the corporation which are actually customarily located in this state.

This bill would delete the limitation that such right extends only to properties located in this state, and would instead provide that the right of inspection applies to a director of any foreign corporation having its principal executive office in this state or customarily holding meetings of its board in this state.

Effective January 1, 1977, a corporation which has not begun business or issued shares may elect by approval by the board to wind up and dissolve.

This bill would amend the above to apply to corporations whether they have commenced business or not, who have issued no shares, and are not obligated to issue any shares.

Effective January 1, 1977, the law will provide that if a corporation is in the process of winding up the court may take jurisdiction over the proceedings if it appears necessary for the protection of any parties in interest.

This bill, with respect to parties who may petition the court to do so, would permit shareholders who hold 5% or more of the total number of any class of outstanding shares, or any shareholder or shareholders of a close corporation, to petition the court to take jurisdiction over the winding up proceeding.

Effective January 1, 1977, every corporation must within 90 days after the filing of its original articles and annually thereafter file a statement of specified information with the Secretary of State.

This bill would provide that the fee for furnishing a copy of the statement shall be \$1.

This bill would define "voting power" for purposes of Chapter 682 of the Statutes of 1975 to mean the power to vote for the election of directors at the time any determination of voting power is made and does not include the right to vote upon the happening of some condition or event which has not yet occurred. In this regard, the bill would make conforming changes to reflect this definition.

This bill would also provide that the amendments made to the General Corporation Law by Chapter 682 of the Statutes of 1975 shall not apply to banks until January 1, 1978, and that until such time banks are subject to the General Corporation Law as in effect on December 31, 1976.

Ch. 642 (AB 3104) Hughes. Work Incentive Program.

Existing law provides that persons registered with the Employment Development Department, certified for participation by the Department of Benefit Payments, and enrolled in a work incentive program may appeal a determination or action by the Employment Development Department (EDD) that they have failed to participate in the work incentive program without good cause. Those individuals who are determined by the Department of Benefit Payments (DBP), after registration and certification, to have failed to report for or refuse to enroll in the work incentive program without good cause are subject to and may appeal only through the welfare appeals system administered by DBP. Upon a determination by either EDD or DBP that an individual has refused or failed to enroll or participate in the work incentive program without good cause, DBP applies sanctions against that individual in the form of reduction or termination of AFDC benefits, which sanction action is also appealable through the welfare appeals system.

This bill would conform existing law relating to disputes under the work incentive system to the requirements of federal law so that all disputes between any individual and EDD or the work incentive program arising subsequent to registration would be subject to and appealable through the work incentive program adjudication system. However, appeals from application of certain required sanctions by DBP or disputes arising prior to registration would continue to be handled through the welfare adjudication system.

This bill would also, in conformity with federal law, expand the requirements of good cause for failure or refusal to participate in the work incentive program, and revise certain EDD notice requirements in cases when a determination is made that an individual has failed to participate in a work incentive program without good cause.

It would additionally neutralize existing references to the masculine gender by adding the feminine gender.

The bill would provide that there are no state-mandated local costs incurred pursuant to the bill for a specified reason.

Ch. 643 (AB 3145) Nimmo. Cooperative education.

Existing law requires the Office of the Chancellor of the California Community Colleges to conduct a pilot program of up to 3 years in cooperative education for no more than 5 community college districts and to make specified followup evaluations and recommendations.

This bill would authorize the pilot program to be conducted up to 5 years.

It also would take effect immediately as an urgency statute.

Ch. 644 (AB 3164) Thurman. Marketing orders: termination.

(1) The existing California Marketing Act of 1937, generally, provides for the establishment of marketing orders for the regulation of producer marketing and the processing, distributing, or handling of agricultural commodities within the state. It requires the Director of Food and Agriculture to terminate any marketing order, if he finds that the termination of such order is requested in writing, within a 90-day period, by not less than a prescribed percentage of producers that are directly affected that produce no less than the prescribed percentage of the volume of the product regulated by the marketing order.

This bill would set forth requirements relating to the date of, withdrawal of names from, the form of, and indicating the address of, persons originating such a written request for termination. This bill would require the proponents for terminating a marketing order to notify the director, as prescribed, of intent to circulate a petition to terminate a marketing order before circulating it, and provide for requirements of such petition and for withdrawal of names from the petition.

(2) The existing law provides for the resubmitting of any marketing order for reapproval if not less than a prescribed percentage of producers or handlers that produce or handle not less than a prescribed percentage of product request the director. It requires the director, upon such a request, to hold a hearing on the question of reapproval, and after determining whether reapproval shall be by assent or referendum, to submit the marketing order for reapproval, as prescribed.

This bill would, instead, require that a hearing be held on the question of reapproval and whether such reapproval shall be by assent or referendum, and require the director to submit it for reapproval, if he finds that a substantial question exists as to whether such marketing order is contrary to, or does not effectuate the declared purpose of, the provisions of the California Marketing Act of 1937 within the standards and subject to the limitations and restrictions which are imposed in such act. This bill would also prescribe requirements for such petition for reapproval which would be the same as would be required under this bill for a request for termination of a marketing order.

(3) The existing law requires the director to terminate any marketing order or marketing agreement which has been inoperative for 3 consecutive marketing seasons. The existing law requires that such notice of termination be posted on a public bulletin board which the director shall maintain in his office, provides that termination of marketing orders shall not become effective until 5 days after the date of such posting, and requires the director to mail a copy of such notice to every person that is directly affected by the terms of such termination, as prescribed.

This bill would, as to such notice of termination of any marketing order or marketing agreement, require such posting, but eliminate the requirement of sending a copy of notice to every person that is directly affected by the terms of such termination and, instead, require the director at the time of posting such notice to issue a public notice to newspapers of general and statewide circulation concerning his intention to terminate such marketing order or marketing agreement.

(4) This bill would also provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by this bill for the reimbursement of any local agency for any costs incurred by it pursuant to the bill for a specified reason.

Ch. 645 (AB 3358) Chel. Driver's licenses: issuance to a minor: cancellation upon change of custody; driving instructions; instruction permits.

(1) Under existing law, the holder of an instruction permit may operate a motor vehicle when accompanied by a licensed driver.

This bill would require, except with respect to motorcycles and motorized bicycles, that the licensed driver at all times occupy a position within the driver's compartment that would enable the accompanying licensed driver to assist the driver in controlling the vehicle as may be necessary to avoid a collision and to provide immediate guidance in the safe operation of such vehicle.

(2) Under existing law any person holding a valid California driver's license of any class may operate a motorized bicycle.

This bill would permit the holder of a valid California instruction permit to operate a motorized bicycle on the same basis as a motorcycle.

(3) Under existing law, the Department of Motor Vehicles is required to cancel the driver's license of a minor under various conditions, including receipt of evidence that there has been a change of custody of the minor and upon the written request by the person to whom custody has been transferred.

This bill would require the department, upon receipt of a written request by the person to whom custody of a minor has been transferred, to transfer the liability imposed on the person who had signed the application of the minor for the driver's license presently held by the minor from such person to the person making a written verified application for acceptance of liability. Upon receipt of such application for acceptance of liability, the person who had signed and verified the application of the minor for the driver's license presently held by the minor would be relieved from the liability imposed under provisions of the Vehicle Code which impose civil liability upon persons who sign an application for a driver's license for a minor.

The bill would require, if such acceptance of liability is on file with the department prior to the receipt of a request for cancellation by the person who had signed the application of the minor for a driver's license, that the license issued under such application not be canceled, so long as the license is otherwise valid. If, on the other hand, such acceptance is not on file prior to the receipt of a request for cancellation, the license would be required to be canceled.

The bill would also make related, conforming changes and technical, nonsubstantive changes

Ch. 646 (AB 3507) Gualco. Public social services.

Under current law each county welfare department is required to compile and maintain a list of private and public agencies which provide service.

This bill requires the State Office of Planning and Research, after consultation with a specified advisory committee, to develop a uniform service classification system and terminology which would constitute the minimum standard for compiling and maintaining the list. It would also require such list to be updated no less often than annually.

This bill would provide that in any county who compiles its lists on electronic data processing that will incur a substantial one-time cost to convert its lists may report such costs and upon a finding of substantial costs by the Director of the Office of Planning and Research is not required to make such conversion until the Legislature appropriates funds to reimburse the county for its conversion costs.

The bill would further provide that neither an appropriation is made nor an obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the act for a specified reason.

Ch. 647 (AB 3657) Miller. Municipal courts.

Existing law does not specify the general disposition of judges and municipal court employees upon consolidation or annexation of municipal court districts.

This bill would provide that upon the consolidation or annexation of the entire territory of two or more existing municipal court districts, the number of judgeships and employees shall be the combined number previously authorized for each of the component courts.

Ch. 648 (AB 3726) McVittie. Unclaimed property.

Existing law provides that, except as specified, savings or matured time deposits made with a banking organization, together with any interest or dividends thereon, and funds paid toward the purchase of shares or other interest in a financial organization or any deposit made therewith, and any interest or dividends thereon, escheat to the state when the owner of such property has not, for more than 15 years, undertaken specific action indicating an interest in the funds or deposit.

This bill would shorten the period of inactivity from 15 years to 7 years.

Ch. 649 (AB 3778) Antonovich. Succession.

Existing law provides that if an intestate decedent leaves neither issue nor spouse, that portion of the estate that was the separate property of a previously deceased spouse goes first to the children of the deceased spouse and to their descendants, then to the parents of the deceased spouse or the survivor of them, or if both are dead, in equal shares to the brothers and sisters of the deceased spouse and their descendants. With respect, however, to the separate property of a predeceased spouse which was in turn derived from the separate property of a parent or grandparent of the predeceased spouse, the property descends to the parent or grandparent, or if dead, to the heirs of the deceased parent or grandparent.

This bill would further provide that any property of such an intestate decedent which would otherwise escheat to the state because there is no relative of one of the spouses, shall be distributed in the same manner as community property of spouses who died simultaneously.

Ch. 650 (AB 3890) Knox. Real estate trusts.

Existing law defines a real estate investment trust as an unincorporated association which complies with, or intends to comply with, Sections 856, 857 and 858 of the Federal Internal Revenue Code of 1954.

This bill would redefine a real estate investment trust to mean any unincorporated association or trust managed by one or more trustees for the benefit of transferable shares which (1) has qualified its securities with the Commissioner of Corporations, and for 1 or more of its 3 fiscal years immediately prior to the effective date of this bill filed its federal income tax return in compliance with Section 856 of the Federal Internal Revenue Code or (2) it was formed under specified provisions of the Federal Internal Revenue Code as a real estate investment trust, and has qualified its shares for sale with the Commissioner of Corporations.

Existing law provides that unincorporated trusts which qualify for federal tax purposes as real estate investment trusts under specified provisions of the Federal Internal Revenue Code of 1954 are entitled to a deduction for income distributed during an income year.

This bill would provide that such trusts qualifying under specified provisions of the Internal Revenue Code, as amended by Public Law 93-625, shall be entitled to a deduction for income distributed during the income year.

The bill would take effect immediately as an urgency statute.

Ch. 651 (AB 3927) Campbell. Sanitary district regulations: violations.

Existing law provides that violations of regulations or ordinances of a district organized pursuant to the Sanitary District Act of 1923 is a misdemeanor punishable by a fine not to exceed \$100, imprisonment not to exceed one month, or both.

This bill would change the punishment for such violations to imprisonment in the county jail not to exceed 30 days, or a fine not to exceed \$1,000, or both

Ch. 652 (AB 4098) Knox. Health care service plans.

(1) Existing law defines the terms "health care service plan," "specialized health care service plan," and "plan contract" for purposes of the Knox-Keene Health Care Service Plan Act of 1975.

This bill would change the term "specialized health care service plan" to "specialized health care service plan contract" and make related revisions in the other definitions.

(2) Existing law requires that all applications for licensure as a health care service plan or specialized health care service plan be verified by an officer or authorized representative of the applicant and include, among other things, financial statements with prescribed content. Every licensed plan is required to file an annual report with the Department of Corporations which must include, among other things, a prescribed financial statement.

This bill would delete the authority of an officer who is not an authorized representative to verify the application of the plan, and would revise the content of financial statements that must be included with plan applications and annual reports. The bill would authorize a plan to offer one or more plan contracts or specialized health care service plan contracts except that a specialized health care service plan contract could not offer one or more basic health care services except as permitted by the commissioner and would authorize the commissioner to regulate advertising, disclosure forms, contract forms, and evidences of coverage.

(3) Under existing law, each plan is required to demonstrate to the commissioner that it is financially responsible for and may reasonably be expected to meet its contractual obligations. The commissioner is authorized to consider various criteria in determining that these conditions have been met. Each plan for its first five years is also required to contract with a subsequent provider, which may be an insurer, to provide services if the plan is unable to.

This bill would restate the provisions, on demonstration of ability to meet financial obligations, and, in addition, would authorize a plan to obtain insurance for medical costs in excess of \$5,000 per subscriber or enrollee per year, on specified terms, in lieu of having an agreement with a subsequent provider during the first five years.

(4) Each licensed plan is required to pay on or before June 30th of each year a determinable amount to the Commissioner of Corporations as its share of costs and expenses reasonably incurred in the administration of the Knox-Keene Health Care Service Plan Act of 1975 by the commissioner.

This bill would require such determinable amount to be paid on or before December 15th of each year.

(5) Existing law requires that all moneys collected from fees and reimbursement by the commissioner from health care service plans be transmitted to the State Treasurer and credited to the General Fund.

This bill would delete such existing law.

(6) Under existing law, after July 1, 1976, the Commissioner of Corporations may request, with the approval of the Department of Finance, that funds be transferred from the Health Care Service Plan Account to the Attorney General to pay for costs of pursuing to final judgment all actions commenced prior to July 1, 1976, with respect to the Knox-Mills Health Plan Act by the Attorney General.

This bill would delete such existing law.

(7) This bill would also make other technical, conforming changes.

(8) This bill would take effect immediately as an urgency statute, and would become operative ~~July 1, 1976~~ [at the same time]. *

Ch. 653 (SB 1385) Presley. Action to free minors in foster homes from parental custody and control: requisite burden of proof.

Existing law authorizes the courts to declare free from the custody and control of either or both parents, a minor who has been cared for in 1 or more foster homes under specified supervision for 2 or more consecutive years, provided that the court finds beyond a reasonable doubt that return to the parent or parents would be detrimental to the child and that the parent or parents have failed during such period and are likely to fail in the future to provide a home and care and control for, and maintain an adequate parental relationship with, the child.

This bill would reduce the requisite degree of belief from beyond a reasonable doubt

to by clear and convincing evidence; and add to the parental duties involved that of maintaining continuous contact with the child unless unable to do so.

Ch. 654 (SB 2034) Behr. Juvenile court law: dependent children: medical care.

Existing juvenile court law authorizes at various stages of the juvenile court process, commencing with the taking of a minor into temporary custody, performance of medical, surgical, dental, and other remedial care, under specified conditions.

This bill would authorize any peace officer who takes into temporary custody a minor for being a person described in Section 600, Welfare and Institutions Code, to authorize, with the verbal or written concurrence of the probation officer, specified medical or dental examinations, and would require such examinations to normally be noninvasive, as defined, and to be performed prior to, or in the process of, delivering such minor to the custody of the probation officer.

Ch. 655 (AB 841) Papan. Insurance: agents and brokers.

Existing law prohibits, with certain exceptions, state and national banks from acting as insurers or insurance agents or brokers.

This bill would make findings and declarations with respect to the concentration of financial resources and would prohibit any bank, as defined, and certain other persons connected or affiliated therewith, from being licensed or acting as, or controlling, an insurance agent or broker, with designated exceptions.

This bill provides that its provisions would terminate December 31, 1979, and that the Department of Insurance shall hold a public hearing to determine the effect which allowing licensing to the exempted categories would have on California consumers, and to evaluate for the Legislature the testimony received.

Ch. 656 (AB 1667) Vincent Thomas. County budgets.

Under existing law there is no express authority for a board of supervisors to revise its proposed budget for the following fiscal year after a resolution adopting such a budget has been adopted by the board.

This bill would provide that, for counties over 6,000,000 population, the board of supervisors may amend its adopted budget resolution for the purpose of reducing appropriations contained in the budget, subject to specified provisions of existing law regarding call and notice of special meetings of a local legislative body. This bill would provide that its provisions shall not be construed so as to prejudice the existing authority of other counties to amend their adopted budget resolutions.

Existing law specifies the date when a county board of supervisors must fix the rates of taxes.

This bill would provide that notwithstanding such provisions, Los Angeles County shall fix its property tax rate for 1976-77 on or before September 15, 1976.

The bill would make an expression of legislative intent regarding such provisions.

This bill would take effect immediately as an urgency statute.

Ch. 657 (AB 2159) Papan. Real estate loans.

Existing law provides that the maximum amount of expenses paid by a borrower with respect to a loan negotiated by a real estate licensee shall not exceed 4 percent of the principal amount of the loan or \$165, whichever is greater, but in no event to exceed \$295. This bill would provide that the maximum amount of expenses shall not exceed 5 percent of the principal amount of the loan or \$195, whichever is greater, but in no event to exceed \$325.

The bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill.

This bill would also incorporate additional changes in Section 10242 of the Business and Professions Code proposed by Senate Bill No. 2144, to be operative only if Senate Bill No. 2144 and this bill are both chaptered and become effective January 1, 1977, and this bill is chaptered last.

Ch. 658 (AB 2222) Calvo. Open-space lands: subventions.

(1) Existing law continuously appropriates to the Controller from the State General Fund to provide replacement revenues to local government by reason of the reduction of the property tax on open-space lands for payment to each eligible county, city, or city

and county an amount for each acre of land of \$3 for prime agricultural land which is within an incorporated city, within 3 miles of the boundaries of an incorporated city with 1,500 or more registered voters or within 1 mile of the boundaries of an incorporated city with less than 1,500 registered voters; \$1.50 for all other prime agricultural land; and \$0.50 for all land, other than prime agricultural land, which is devoted to open-space uses of statewide significance.

This bill would revise such formula to provide \$8 for prime agricultural land which is within, or within 3 miles of, the boundaries of an incorporated city with a population of 25,000 or more people; \$5 for prime agricultural land which is within the boundaries of an incorporated city with a population of 15,000 or more but less than 25,000 people, or within 3 miles of such city boundaries, in any county not qualifying for payment under the \$8 formula; \$1 for all other prime agricultural land; and \$0.40 for all land other than prime agricultural land which is devoted to open-space uses of statewide significance. The bill would also provide that the amount per acre may be increased by the Secretary of the Resources Agency to a figure which would offset any savings due to a more restrictive determination by the secretary as to what land is devoted to open-space uses of statewide significance.

The bill would further provide that there shall be no increase or reduction in the amount that would be paid under existing law to a city or county in excess of an amount equal to the property tax derived from a levy at the rate of \$.03 per hundred dollars of assessed value except as affected by an increase or decrease in the acreage assessed.

(2) Existing law provides that no payment shall be made with respect to land subject to an open-space easement accepted pursuant to the Open-Space Easement Act of 1974.

This bill would delete such provision and provide that no subvention payments to a county, city, city and county, or school district shall be made for land enforceably restricted pursuant to the Open-Space Easement Act of 1974.

(3) Existing law requires every city and county to have prepared a local open-space plan for the comprehensive and long-range preservation and conservation of open-space land within its jurisdiction. The deadline for an interim plan was August 31, 1972, and the deadline for a final plan was December 31, 1973.

This bill would provide that the fact that a local government has not complied with such requirements by the date specified shall not be reason to determine that the local government is ineligible to receive state payments if the local government has complied by July 1 of the year in which the application is made.

(4) Existing law provides that no city, county, or city and county shall receive more money by reason of the funds provided for in the open-space provisions than such governmental entity might have received had no property in the entity been assessed as open-space lands.

This bill would delete such provision.

(5) Existing law specifies a dollar limitation for the total of all subventions and provides that if claims by local governmental agencies exceed the limitation, reductions in state disbursement shall be made on a pro rata per-acre basis, first on funds allocated on nonprime lands, second on funds to local governments on prime lands, and third to school district disbursements. The Secretary of the Resources Agency was required to report to the Legislature on the impact of the expiration of the fiscal limitations to be submitted no later than April 1, 1973.

This bill revises the order of reductions in such state disbursements, requiring such reductions be made first on funds allocated on certain nonprime lands and certain nonurban prime lands, second, on funds to local governments on certain urban prime lands, and, third, to school district disbursements.

The bill also deletes a provision for the Secretary of the Resources Agency to report to the Legislature.

Ch. 659 (AB 2605) Vincent Thomas Medi-Cal.

Under the current Medi-Cal Act, a provider is not required to return moneys paid by a Medi-Cal applicant for services rendered during any period for which the applicant is later determined to have been eligible for payment under the Medi-Cal Act.

This bill would require a Medi-Cal provider when the beneficiary presents his Medi-Cal card to submit a Medi-Cal claim for reimbursement and return such payment and any or all payment received from or on behalf of the beneficiary when reimbursed.

Under current law state funds are paid monthly in advance to the counties for the administrative costs of the Medi-Cal program.

This bill would authorize state funds to be paid monthly in advance to the counties for costs of care under the Medi-Cal Act.

The bill would also become operative immediately as an urgency statute.

Ch. 660 (AB 2618) William Thomas. Subdivision Map Act.

Existing law defines a subdivider as a person, firm, or corporation who proposes to divide, divides or causes to be divided real property into a subdivision for himself or others. This bill would exempt employees and consultants of such persons or entities, acting in such capacity from the definition of subdivider.

Existing law contains no definition of a tentative map. This bill would define a tentative map as one made for the purpose of showing the design of a proposed subdivision and the existing conditions in and around it and provide that it need not be based upon an accurate or detailed final survey of the property.

Existing law requires a certification by a surveyor (engineer) that a parcel map conforms to the approved tentative map. This bill would instead require a statement by a surveyor (engineer) that the parcel map procedures of the local agency have been complied with and that the parcel map conforms to the approved tentative map and the conditions of approval thereof.

Existing law permits correction of maps to show the proper location of any monument which has been changed in location or was originally shown at the wrong location. This bill would instead permit corrections to show the proper location or character of any monument which has been changed in location or character or originally was shown at the wrong location or incorrectly as to its character.

Existing law mandates a local agency to require that the exterior boundary of the land being subdivided be adequately monumented or referenced before the map is recorded. This bill would, instead, mandate a local agency to require that at least one exterior boundary line of the land being subdivided be adequately monumented or referenced before the map is recorded.

Ch. 661 (AB 2934) Meade. Victims of crime.

Existing law provides for certain payments to victims of crime who suffer uncompensated losses thereby. It provides that the state shall be subrogated to the rights of such victim against the perpetrator of the crime or any person liable for the victim's loss and shall have a lien in the amount of any payments the state has made to the victim.

This bill would require that 25% of the amount of any recovery which is subject to a lien shall be paid to the county probation department or the victim responsible for recovery of such amount from the perpetrator of the crime, and would direct the deposit of the balance in the Indemnity Fund.

Ch. 662 (AB 3062) Mobley. Veterans: Cal-Vet loans.

Existing law permits the Department of Veterans Affairs to purchase a home within the range of \$30,000 to \$35,000 if the purchaser lacks assets to purchase the home without borrowing more than \$30,000 and the department has not consented to subordination to a private mortgage loan.

This bill would delete those limitations and would provide that any amount over \$30,000 of the purchase price may be provided by funds from participation contracts or revenue bonds.

Existing law establishes preferences for purposes of determining the eligibility and qualification of veterans for veterans' farm and home loans. The Department of Veterans Affairs is required to establish a maximum income limit for third-preference veterans whenever it appears that there will be a shortage of loanable funds for such veterans.

This bill would repeal the requirement that the department establish the maximum income limit.

Existing law authorizes the expenditure of \$350,000,000 derived from the Veterans Bond Act of 1974 for the Veterans' Farm and Home Purchase Act of 1974.

This bill would delete that limitation and would authorize expenditure of all of the proceeds from the 1974 act and all subsequent bond acts.

Ch. 663 (AB 3259) Mobley. Veterans' Revenue Debenture Act.

Existing law requires all applications for benefits under the Veterans' Revenue Debenture Act of 1970 to be filed within 10 years from the date of the applicant's discharge from the service and this bill would change that period to 25 years.

Existing law contains references to the Veterans' Farm and Home Purchase Act of 1943 and this bill would change those references to the Veterans' Farm and Home Purchase Act of 1974.

Ch. 664 (AB 3833) Suitt. State Energy Resources Conservation and Development Commission.

Under existing law, the State Energy Resources Conservation and Development Commission is required to develop and coordinate a program of research and development in alternative sources of energy.

This bill would authorize participation, as defined, in large-scale demonstrations of alternative energy systems sited in California in cooperation with federal agencies, regional compacts, other state governments, and other participants.

The bill would also provide that not more than one-half of the funds appropriated to the commission for research and development shall be expended for large-scale demonstration of alternative energy systems.

Ch. 665 (AB 2377) Z'berg. Bushy Lake preservation.

Existing law designates the lower American River as a component of the Wild and Scenic Rivers Act.

This bill would require the Department of Parks and Recreation to preserve the California Exposition lands owned by the state in the American River flood plain in a manner consistent with the definition of a state park, except that during the State Fair, parking would be permitted in a designated area east of the Bushy Lake area. The bill also would require preservation of Bushy Lake and the Bushy Lake area as a natural preserve, but would authorize the department to allow use of an area designated by the department on the northerly side of Bushy Lake, commonly known as "picnic island," for group picnics

Ch. 666 (AB 341) Kapiloff. Credit reporting.

The Consumer Credit Reporting Agencies Act makes specific legislative findings and declarations regarding the necessity for the act.

This bill would make additional legislative findings and declarations.

The Consumer Credit Reporting Agencies Act provides that whenever credit or insurance for personal, family, or household purposes, or employment involving a consumer is denied or the charge for such credit or insurance is increased because of information contained in a consumer credit report from a consumer credit reporting agency, the user of the consumer credit report shall so advise the consumer against whom such adverse action has been taken and supply the name and address or addresses of the consumer credit reporting agency making the report

This bill would delete reporting for insurance purposes from the coverage of the above provisions and would require the user of a consumer credit report, in addition to the above requirements, to disclose the items of information contained in the credit report upon which a decision was made to deny credit and to advise the consumer that upon request the consumer credit reporting agency will reinvestigate the current status of the information if the consumer disputes the completeness or accuracy of information. The bill would also delete "insurance" as a component of the definition of "consumer credit report."

The Consumer Credit Reporting Agencies Act also provides that whenever credit or insurance for personal, family, or household purposes involving a consumer is denied or the charge for such credit is increased because of information obtained from a person other than a consumer credit reporting agency bearing upon consumer's credit worthiness or credit standing, the user of such information shall, within a reasonable period of time, and upon the consumer's written request for the reasons for such adverse action received within 60 days after learning of such adverse action, disclose the nature and substance of the information to the consumer.

This bill would revise those provisions and would designate actions that must be taken

when credit is denied or the charge for such credit is increased.

The Consumer Credit Reporting Agencies Act and the Investigative Consumer Reporting Agencies Act each provides for those disclosures and reports furnished to the consumer which are subject to a charge and those which are without charge.

This bill would revise the disclosures which are subject to a charge, including those involving the preparation of special material, would permit charges for any other services rendered to the consumer, and would establish a ceiling for charges for disclosures and other services with respect to each such act.

The Consumer Credit Reporting Agencies Act requires a consumer credit reporting agency to reinvestigate information contained in a credit file which is disputed by a consumer as to its completeness or accuracy and to delete any such information which reinvestigation reveals is inaccurate or can no longer be verified.

This bill would require a reporter to add, correct, or delete missing, inaccurate, or unverifiable information.

It also would provide that upon notification of the results of a reporter's reinvestigation, an applicant may make a written demand on any person furnishing information to the reporter to correct any information the applicant believes to be inaccurate. Such demand is to be acknowledged within 30 days and the applicant may require the reporter to indicate on any subsequent reports issued during the dispute the fact of the dispute. It provides for correction or deletion of such inaccurate items.

This bill would also authorize a user to notify the consumer that upon request the user may contact the consumer reporting agency and request that it investigate the current status of information items if the consumer disputes completeness or accuracy.

Existing law specifies the remedies available to a consumer who is the subject of a consumer credit report for a negligent or willful violation of any requirement of the act.

This bill would delete these provisions and would substitute similar remedial provisions, with specific provision made for class actions, injunctive relief, and the recovery of court costs and attorney's fees by the prevailing party.

Under existing law, the act does not apply to reports limited to disclosures from public records relating to land and land titles nor to any person maintaining records for the purpose of reporting portions of public records imparting constructive notice. This bill would add to these exceptions transactions by mail where the credit grantor and its major credit application processing office are outside the state.

This bill would make additional related changes.

Ch. 667 (AB 1320) Dixon. Interstate Corrections Compact.

Presently, California has adopted the Western Interstate Corrections Compact.

This bill would also adopt the Interstate Corrections Compact to provide for mutual development and execution of criminal offender programs of cooperation for the confinement, treatment and rehabilitation of offenders with the most economical use of human and material resources.

The bill would also provide that any person sentenced under California law, but who is committed or transferred to an institution outside the state, would be incompetent to testify for the prosecution in any criminal proceeding unless all defense counsel in the proceedings are notified that the prosecution may call such witness and they are given an opportunity to interview the witness no less than 10 days before the commencement of the proceeding, or if the prosecution is not considering the use of the testimony of such witness, at the earliest possible time; however, the prisoner shall not be compelled to submit to such an interview.

This bill would further make provision for certain procedural rights relative to such compacts.

Ch. 668 (AB 2291) Briggs. Smoking.

(1) Existing law does not prohibit smoking in publicly owned buildings.

This bill would enact the California Indoor Clean Air Act of 1976.

This bill would provide that an area shall be designated and signs shall be posted as specified in certain publicly owned places where the smoking of tobacco is prohibited and would provide for a writ of mandate to compel the appropriate public entity to designate and post such areas. The bill specifically excludes restaurants in publicly owned buildings under leases for such time as the lessee of record on January 1, 1977, has a lease as the restaurant operator.

This bill would also declare legislative intent not to preempt field of tobacco smoking regulation, and that a local governing body may ban completely the smoking of tobacco, or may regulate such smoking in any manner not inconsistent with state law.

(2) Existing law requires every railroad, passenger stage, and street railroad corporation, and passenger air carrier, as defined, providing departures originating in the state to provide designated space for nonsmokers and to display notices in the passenger seating area of such carriers printed, posted, and displayed in specified fashion advising the location of the space required by law to be designated for nonsmoking passengers.

This bill would require that contiguous space of not less than 50% of the seats be designated space for nonsmoking passengers and would prohibit a person from smoking in a designated nonsmoking area.

(3) This bill would provide that neither reimbursement nor appropriation is made for any local agency for any costs incurred by it pursuant to the bill.

(4) This bill would become operative April 1, 1977.

Ch. 669 (AB 2702) Knox. Service of summons: allowable costs.

Existing law requires that when a summons or a subpoena is served by a person other than a public officer or employee, the court in which the action is pending shall allow as a recoverable cost such sum as it deems proper for such service, but not exceeding the amount allowed to a public officer or employee in this state for such service.

This bill would permit the court, upon a showing by the person serving process that locating a person to serve or effecting service was unusually difficult, to allow, in the interest of justice, as a recoverable cost for the service of any such process such reasonable and necessary costs necessarily incurred in effecting it. This bill would define "unusually difficult" service.

Ch. 670 (AB 2740) Kapiloff. Residential structures: solar energy.

The State Housing Law, except with respect to local variances permitted thereunder and building regulations enacted on or before November 23, 1970, generally requires county and city building codes to impose the same requirements as are contained in regulations of the Commission of Housing and Community Development governing the erection and construction of hotels, motels, lodginghouses, apartment houses, dwellings, and buildings or structures accessory thereto. The regulations of the commission are required to substantially incorporate provisions of specified privately promulgated uniform codes. Nothing in the State Housing Law expressly authorizes counties and cities to alter their building codes to require a roof pitch and directional alignment suitable for installation of devices for the collection of solar energy.

This bill would authorize any city or county to require that new buildings subject to the State Housing Law be constructed in a manner permitting installation of solar heating and nocturnal cooling devices, including but not limited to, a roof pitch and directional alignment suitable for retrofitting with solar energy collecting and nocturnal cooling devices.

Ch. 671 (AB 2766) Kapiloff. Property tax information

Under existing property tax law, the county property tax assessor is required to permit a property tax assessee to inspect only that information which the assessor has used in the assessment of the property of such assessee.

This bill would require the assessor to maintain a list of property transfers in the county, other than transfers of undivided interests, which have occurred within the prior two-year period, with specified information regarding such transfers, until May 1, 1980. Such list shall be open to inspection by any assessee who has filed a timely application for reduction of his assessment before the local board of equalization or assessment appeals board, at the assessor's office upon payment of a specified fee.

This bill would mandate the Legislative Analyst to conduct a study to determine whether the administrative costs of providing such lists exceed the fee charged to persons requesting such lists, and to submit the results of such study to the Legislature.

This bill would provide that no appropriation shall be made by this act for the reimbursement of any local agency for any costs incurred by it pursuant to this act for a specified reason.

Ch. 672 (AB 3171) Rosenthal. Medi-Cal.

Under current law a Medi-Cal recipient is provided with a Medi-Cal card certifying among other things his entitlements.

The bill would require any provider of health care services to not seek reimbursement or payment for such covered services from the eligible applicant or recipient, or any person other than the department or third party payor who is contractually or legally obligated.

The bill would also require the Department of Health to develop a proof of eligibility procedure by July 1, 1977, as specified.

Ch. 673 (AB 3843) Knox. Health care: religious exemption.

Existing law makes it unlawful for a parent to willfully fail to furnish necessary clothing, food, shelter, medical attendance, or other remedial care for a minor child.

This bill would provide that if a parent provides a minor with treatment by spiritual means through prayer alone, in accordance with the tenets and practices of a recognized church or religious denomination, by a duly accredited practitioner thereof, such treatment shall constitute "other remedial care."

Ch. 674 (SB 1630) Berryhill. Agricultural industry: fish farms crop destruction.

Existing law declares that the commercial production of farm-cultivated catfish shall be considered a branch of the agricultural industry of the state for the purpose of any law which provides for the benefit or protection of the agricultural industry of the state. Existing law also authorizes the Department of Fish and Game to destroy infected or diseased fish.

This bill would instead include the commercial production of any kind of fish propagated and raised under a domestic fish breeder's license, as specified, and marine life cultivated in a closed water system, as specified, within such declaration.

This bill would also require the State Board of Control, upon being presented a claim, to compensate (to the extent funds are appropriated) on the basis of poundage and the cost to the owner in producing such fish or marine life, or the cost to the department in producing comparable fish or marine life, whichever is less, the owner of a commercial enterprise for the raising and propagation of such fish or the cultivation of such closed water system marine life, who is required to destroy his fish or his marine life, or otherwise dispose of such fish or such marine life at an economic loss, in accordance with such fish disease control laws.

The bill would provide that the board shall not authorize the payment of such compensation to any person unless the department certifies that the person making the claim has not (1) in connection with the economic loss forming the basis of a person's claim, violated a regulation of the Fish and Game Commission relating to the commercial propagation and raising of such fish or the cultivation of such marine life as to fish disease and parasite control, or (2) in connection with such loss, been convicted of violating a provision of the Food and Agricultural Code or Fish and Game Code, relating to propagation of such fish, cultivation of such marine life, or such fish disease and parasite control, or (3) has not made such a claim more than once during the previous two years, or that if a claim was made, the department must certify that the person did not fail to follow the procedures prescribed by the department designed to abate the cause of the loss upon which the earlier claim was based.

The bill would require such compensation payments to be made from the General Fund.

Ch. 675 (SB 1780) Holmdahl. Civil actions: summary judgments.

Existing law provides that a motion for summary judgment may be made at any time after 60 days has elapsed from the general appearance of each party against whom the motion is directed.

This bill would provide that the motion be made, in the alternative, at such earlier time after the general appearance of each party against whom the motion is directed as the court, with or without notice and upon good cause shown, may direct.

Ch. 676 (SB 1905) Holden. Highways: freeways: sewer relocation.

Under existing law, the Department of Transportation is required to pay the cost of relocation of public-owned sewers, fire hydrants, and street lighting facilities that are located within state freeways. However, if the relocation is accomplished by the construction of new utility facilities, the department is allowed a credit in an amount equal to the original cost of the displaced utility facility times the ratio of its age to its normal expected life.

This bill would prohibit a credit allowance for age from being applied to publicly owned sewers.

Ch. 677 (AB 848) Leroy F. Greene. School construction; education compact.

(1) Existing law specifies that as of January 1, 1977, any person employed to inspect the construction, reconstruction, or alteration of school buildings shall be a registered construction inspector, except as otherwise exempted.

This bill would extend such date to January 1, 1978.

(2) Currently, California is a member of the Compact for Education. Such membership will expire December 31, 1976.

This bill would extend California's membership until December 31, 1979.

It would take effect immediately as an urgency statute.

Ch. 678 (AB 1908) Burke. Costa Mesa County Water District.

Existing law defines the boundaries of the Costa Mesa County Water District.

This bill would redefine the boundaries and repeal the provisions specifying that land may be added to or excluded from the district in the manner provided in the county water district law.

Existing law requires the district be divided into divisions according to acreage for the purpose of electing directors.

This bill would require the district be divided into divisions according to population for such election.

The bill would also provide that there would be no reimbursement to local governmental agencies for any state-mandated local program costs incurred under the bill for a specified reason.

Ch. 679 (AB 2999) Keene. Mental health.

Under the existing Short-Doyle Act, the community mental health advisory board is composed of 14 specified categories of lay and professional persons.

This bill increases the number of the board's membership to 17, except for a minimum of 11 in counties with a population of less than 100,000, and changes the composition of the board.

Ch. 680 (SB 2066) Behr. Municipal courts: Marin County.

Existing law provides that if the salaries of personnel of the clerk's office of the municipal court in Marin County in effect immediately prior to January 1, 1976, are changed by the board of supervisors, such change shall be on an interim basis. It also provides that any adjustment in the compensation of court personnel which is approved by the board in order to equalize such compensation with the compensation paid to county employees in parallel positions shall expire January 1, 1977.

This bill would provide that changes in clerk office salaries in effect immediately prior to January 1, 1977, shall be on an interim basis. Compensation equalization adjustments would be on the same interim basis.

Ch. 681 (AB 2848) Greene. Property tax exemptions: veterans' church.

(1) Under existing law that part of principal place of residence of a disabled veteran who was a California resident on specified dates or the surviving spouse of such veteran which does not exceed \$10,000 is exempted from property taxation.

This bill would specify that any veteran who was otherwise qualified would not lose eligibility for such exemption as the result of changes in residency requirements effective on January 1, 1975 or thereafter and would revise the definition of a residence.

(2) Under existing law, affidavits for property tax exemptions, except the veterans' exemption and the homeowners' exemption, must be filed with the assessor between March 1st and 15th.

This bill would extend the time for filing for the church exemption from property taxation until March 31st.

(3) Under existing law, there is no requirement that county assessors mail claim forms for the church exemption to all recipients of such exemption in the prior year.

This bill would impose such a requirement, except where the prior recipient has transferred title to the property since the prior lien date.

The bill would also provide that no appropriation or reimbursement shall be made because the act would not impose a financial burden upon local government.

Ch. 682 (AB 3041) Knox. Bay Area Sewage Services Agency.

Existing law provides for the Bay Area Sewage Services Agency in designated counties in the basin served by the San Francisco Bay Regional Water Quality Control Board.

This bill would repeal the Bay Area Sewage Services Agency Law and, on the effective date of the act, would designate the County Auditor of the County of Alameda as the successor to the Bay Area Sewage Services Agency for the sole purpose of winding up the affairs of such agency.

The successor would be required to audit and disburse, after deducting expenses of the audit and disbursement, to each county in such agency its proportionate share of the remaining assets of such agency based upon such county's contribution to the agency for the 1975-76 fiscal year. Each such county would be required to disburse to each local agency in such county its proportionate share of the money received from the disbursement by the successor based upon the apportioned contribution for the agency received by the county from such local agency during the 1975-76 fiscal year.

The bill would also provide that notwithstanding Section 2231 of the Revenue and Taxation Code there shall be no reimbursement pursuant to that section nor appropriation made by this act for a specified reason.

Ch. 683 (AB 3102) Tucker. Health officers.

Under existing law, city, county, city and county, and district health officers are not entitled to receive rap sheets from the Attorney General.

This bill would require the Attorney General to furnish such rap sheets under specified circumstances.

Ch. 684 (AB 3482) Thurman. Community care facilities: day care facilities for children.

The California Community Care Facilities Act provides for the licensure and evaluation by the State Department of Health of community care facilities, which includes residential facilities, day care centers, and homefinding agencies. Existing law provides that evaluations of care and services of a day care facility for children, which is defined as a facility providing nonmedical care to infants and preschool and school age children under 18 during a portion of the day, are limited to evaluations of health and safety considerations.

Existing law requires that licenses or special permits for any such day care facilities be in compliance with the act and applicable rules and regulations and that no fee be charged for a license or special permit application for such a facility.

This bill would require the state department to maintain a program to carry out licensing, inspection, and evaluation of day care facilities for children.

This bill would require the state department to maintain staff of adequate size and expertise for carrying out a licensing, inspection, and evaluation program with respect to day care facilities for children, and would prohibit a self-certification and inspection program. This bill would appropriate \$284,084 to the State Department of Health in augmentation of Item 271 of the Budget Act of 1975 and would appropriate \$2,153,520 to the Department of Finance for allocation to the State Department of Health, upon a determination of need by the Director of Finance, for carrying out prescribed licensing, approval, or consultation responsibilities with regards to community care facilities.

This bill would take effect immediately as an urgency statute.

Ch. 685 (AB 3386) Berman. Marriage: family and child counselors.

Under existing law the Board of Behavioral Science Examiners must revoke the license of any person, other than a physician or surgeon, who uses or offers to use

hypnosis or drugs, or the license of a certified psychologist who uses or offers to use hypnosis, in the course of performing marriage, family, or child counseling services.

This bill would remove the use of hypnosis by such persons as a grounds for license revocation.

Existing law does not include hypnosis in the application of principles and methods in the practice of marriage, family and child counseling.

This bill would specifically permit a marriage, family and child counselor to use hypnosis in his practice provided he can demonstrate experience in the clinical use of hypnosis which satisfies specified criteria set by the board

Ch. 686 (AB 3592) Sieroty. State lands: cession of concurrent jurisdiction.

Under existing law, the state has consented to the acquisition by the United States of land within this state subject to various specified conditions and reservations.

This bill would, instead, provide for the cession of concurrent criminal jurisdiction to the United States within land held by the United States in this state upon a finding by the State Lands Commission that such cession is in the interest of the state. Such concurrent criminal jurisdiction would vest when certified copies of the State Land's Commission's orders or resolution, making such finding or declaration, have been filed with the Secretary of State and recorded in the office of the county recorder of the county in which any part of the lands is situated.

The bill would take effect immediately as an urgency statute.

Ch. 687 (AB 3670) Kapiloff. Clinics: license fees.

Under existing law, all clinics are required to pay a license fee, determined by the Director of Health, based on the number of patients served and which covers the costs of administering the licensing provisions pertaining to clinics. Under such licensure provisions, clinics are classified as community clinics, teaching and research clinics, employer's clinics, and employees' clinics.

This bill would require that the license fee be based on a percentage of the annual gross operating cost for the clinic, rather than the number of patients served by the clinic.

The bill would require that the initial license fee for a new clinic or upon change of ownership for an existing clinic be a flat fee determined by the director, except that the license fee for a new, renewal, or change of ownership license of a free clinic which does not charge or collect any fee directly from patients for services would be \$25.

Ch. 688 (AB 3882) Fazio. State Teachers' Retirement System: service credit.

Existing State Teachers' Retirement Law authorizes members to receive full-time service credit while on sabbatical leave upon payment of contributions.

This bill would also authorize members to receive full-time service credit while absent to participate in any program under the federal Mutual Educational and Cultural Exchange Program upon payment of contributions.

Ch. 689 (AB 3902) Hughes. Discrimination. redevelopment projects: renewal areas.

(1) Under existing law, community redevelopment agencies are required to obligate lessees and purchasers of real property acquired in a redevelopment project, and owners of property improved as part of the redevelopment project, from discriminating on the basis of race, color, religion, ancestry, or national origin with respect to the rental, lease, or sale of such property.

This bill would add sex and marital status to the bases of nondiscrimination with respect to rental, lease, or sale of such property within redevelopment projects.

(2) Under existing law, express provisions prohibiting discrimination or segregation on account of race, color, creed, national origin, or ancestry must be included in all deeds, leases, and contracts which a redevelopment agency enters into in connection with land in a redevelopment project.

This bill would require that express provisions of such redevelopment agency deeds, leases, or contracts also prohibit discrimination or segregation on account of religion, sex, and marital status.

(3) Under existing law, all property of renewal area agencies and property of persons

participating in or deriving any benefit from rebuilding or rehabilitation of the renewal area are required to be sold, transferred, leased, purchased, acquired, administered, and managed without discrimination on account of race, color, creed, or national origin.

This bill would add religion, sex, marital status, and ancestry to such renewal area discrimination provisions.

Ch. 690 (AB 2945) Greene. Schools: performance study.

Under current law, the Superintendent of Public Instruction is required to issue a final report regarding school performance to the Legislature by January 5, 1976.

This bill would extend the date for the submission of the final report to January 5, 1978; would require that a specified study plan be submitted to the Legislature by July 1, 1976; and would extend the period over which a designated study of school districts is to be conducted from 2 years to 3 years.

This bill would also appropriate \$50,000 † from the General Fund to the Superintendent of Public Instruction for the purposes of conducting the study leading to this report.

This bill would take effect immediately as an urgency statute

Ch. 691 (SB 570) Rains and the Joint Committee on Legal Equality. Part-time employment.

The existing law states the policy of the state that the workweek of the state employee shall be 40 hours.

This bill would enact the Part-Time Employment Pilot Program, which states the policy of the state that a proportion of classes at various salary levels be available on a part-time employment basis, defined as employment requiring not more than 32 hours of work per week, to individuals unable or not desiring to work on a full-time basis.

This bill would require the Department of Motor Vehicles to conduct a two-year pilot program to establish the feasibility of such a project, beginning January 1, 1977, and would require semiannual reports by the department and the State Personnel Board to the Governor and the Legislature on the progress of the project, with the State Personnel Board report also including recommendations on the expansion of the program to other state agencies.

This bill would prohibit abolishing or reducing in hours any full-time class or position, occupied by an employee, without the voluntary consent of the employee holding that position, and would prohibit the impairing of employment rights or benefits of any employee.

This bill would remain in effect only until January 1, 1979, and would be repealed as of that date unless a later enacted statute which is chaptered before January 1, 1979, deletes or extends such date.

This bill would appropriate \$37,600 from the Motor Vehicle Account in the State Transportation Fund to the Department of Motor Vehicles for purposes of the bill.

Ch. 692 (SB 831) Beilenson. Endangered species.

Existing law makes it a misdemeanor to import, possess with intent to sell, or sell the dead body or any part or product of any of several endangered species. However, the elephant is not included among these protected species.

This bill would include the elephant among these protected species, on and after June 1, 1977.

Existing law provides that it is unlawful to possess with the intent to sell, or to sell, the dead body, or any part or product thereof, of any species or subspecies of animal the importation of which is illegal under specified federal law.

This bill would revise the listing of specified species or subspecies protected under federal law to include mollusk, invertebrates, and plants. It would also provide that possession or sale of such species or subspecies the importation of which is illegal under specified federal law or subsequent amendments is unlawful and that violation of federal regulations is also a violation of California law.

Existing law provides that it is unlawful to take any seal or sea lion, except as specified. This bill provides that such provisions are severable and independent from other provisions of the Fish and Game Code.

This bill would provide that notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement nor appropriation made by this bill for a specified reason.

† Appropriation deleted by action of the Governor.

Ch. 693 (SB 1552) Song. Family physician training program.

Under existing law, the Health Manpower Policy Commission in connection with the Health and Welfare Agency, among other things, is authorized to set standards for family physician training programs and encourage the growth thereof by means of awarding contracts to accredited medical schools for training of family physicians, primary care physician's assistants, and primary care nurse practitioners.

This bill would make various changes in the duties of the commission, to include:

(a) Requiring the commission to consider written agreements of affiliation between a hospital and an accredited medical school as a favorable factor in recommendations to the Director of Health for allocation of funds;

(b) Requiring recipients of funds as a minimum to maintain the 1973-74 fiscal year level of expenditure for family practice or primary care physician's assistant or family care nurse practitioner training, rather than for family practice or physician's assistant training; and

(c) To review and make recommendations to the director concerning funding of special programs, as specified.

This bill would also appropriate \$1,775,000 from the General Fund to the State Department of Health for expenditure during the 1977-78 through 1980-81 fiscal years to be expended in a specified manner for the purposes of the family physician training program.

Ch. 694 (SB 1730) Alquist. Unemployment compensation: disability coverage.

Under existing law, "employment" for purposes of the state unemployment compensation disability benefits excludes service performed for the United States government or any instrumentality of the U.S.

This bill would specifically include as "employment" for those benefit purposes service performed as a clerk-carrier for the U.S. Postal Service, to the extent Congress permits, and if Congress permits the states to require the postal service to withhold workers' contributions and to transmit them into a state fund for unemployment compensation disability benefits. The bill would provide that its provisions shall not take effect unless the 94th Congress enacts HR 13341.

Ch. 695 (AB 1386) Lewis. School traffic safety education.

Under current law there is no specific provision for traffic safety education courses in the public schools.

This bill would express legislative intent concerning traffic safety education information and guidance in the public schools, and would require the Department of Education, in cooperation with the California Highway Patrol, the Department of Motor Vehicles, and the Office of Traffic Safety, to establish standards governing traffic safety education in the elementary and secondary grade levels, as well as in adult schools.

This bill would authorize the Superintendent of Public Instruction to select not more than 10 school districts to participate in a pilot program in traffic safety education in the 1976-77 and 1977-78 school years conducted in accordance with guidelines adopted by the Department of Education, and would require the department to evaluate the pilot programs and to submit a report to the Legislature.

The bill would authorize the Superintendent of Public Instruction to employ necessary personnel.

The bill would require courses of study to provide instruction at the appropriate grade levels of traffic safety education, and would require the department to provide in-service training for teachers in traffic safety education.

The bill would appropriate specified amounts † from the Driver Training Penalty Assessment Fund surplus for expenditure during the 1976-77, 1977-78, and 1978-79 fiscal years for the purposes of the act.

The bill would go into immediate effect as an urgency statute.

Ch. 696 (AB 3143) Montoya. State Board of Fire Services.

Under existing law the State Board of Fire Services includes 4 fire chiefs appointed by the Governor from a list of names recommended by the California Fire Chiefs' Association, Inc.

This bill would, instead, require that 3 of the fire chiefs be so appointed and would

† Appropriation deleted by action of the Governor.

require that the fourth be appointed from a list of names submitted by the California Metropolitan Fire Chiefs.

Ch. 697 (AB 3326) William Thomas. State Teachers' Retirement System: retirants.

Existing State Teachers' Retirement Law permits any retirant to teach in any public school without reduction of retirement allowance providing his compensation does not exceed \$4,000 in any fiscal year.

This bill would permit any retirant or disabilitant to teach without reduction of retirement or disability allowance or compensation limitation providing such service is performed because the retirant or disabilitant has special skills and provided such service does not exceed 120 days or the retirant or disabilitant does not earn more than \$5,000 in any fiscal year.

Ch. 698 (AB 4183) Gualco. Municipal courts: Sacramento and San Joaquin Counties.

Existing law specifies the number, classifications and compensation of municipal court personnel in San Joaquin County.

This bill would increase the number and compensation of such personnel and provide some new classifications.

Existing law specifies the number, positions and compensation of municipal court personnel in Sacramento County.

This bill would increase the number and compensation of such personnel. It would also authorize the appointment of additional court personnel on an interim basis if recommended by the judges of the court and approved by the board of supervisors.

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desired authority to act pursuant to the act.

Ch. 699 (AB 4413) Hart. Municipal courts: Lompoc.

Existing law specifies the number and compensation of municipal court personnel of the Lompoc Judicial District

This bill would authorize a deputy marshal and a second clerk-typist III at a specified salary.

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desired authority to act pursuant to the act.

Ch. 700 (SB 1352) Way. Physically handicapped: access to public accommodations, appeals board.

Existing law does not provide for a local appeals board to hear appeals regarding action taken by the building department of a city, county, or city and county in enforcing physically handicapped persons access requirements applicable to public accommodations or facilities constructed with private funds.

This bill would authorize a city, county, or city and county to appoint an appeals board composed of 5 members to hear written appeals re enforcement of such physically handicapped persons access requirements and to approve or disapprove interpretations of such provisions by the building department. All such approvals or disapprovals would be final and conclusive as to the building department in the absence of fraud or prejudicial abuse of discretion.

Ch. 701 (SB 1415) Rodda. County Employees Retirement Law: reciprocity.

Existing County Employees Retirement Law of 1937 prescribes reciprocal benefits for persons who became members of a county retirement system within six months after terminating membership in the Public Employees' Retirement System.

This bill would extend such benefits to persons who are employed by districts which were not in a county retirement system at the time of employment if the person was employed by the district at the time it joined the county system and if the county board of supervisors, by resolution, adopts such provision.

Ch. 702 (AB 2757) Greene. Schools.

(1) Existing law does not specifically authorize a school district to unconditionally accept for enrollment a nonimmigrant alien residing in a foreign country. Such acceptance is a prerequisite to the issuance of a student visa to a nonimmigrant alien coming to this country to attend school.

This bill would authorize the governing board of a school district to agree in writing to permit a nonimmigrant alien residing in a foreign country to enroll in, and attend schools of, the district, and to execute any written commitment required by or pursuant to federal law as a prerequisite to the alien's entry into this country for purposes of securing education and training. The bill would incorporate, for such purposes, provisions of existing law requiring the appropriate county or city and county to reimburse the school district for the cost of educating nonimmigrant aliens residing in the county or city and county.

(2) Under existing law, a school district may have a tax levied and collected for earthquake safety purposes. Unexpended balances from the tax must be applied towards the repayment of apportionments under provisions relating to school housing aid for the rehabilitation and replacement of structurally inadequate school facilities.

This bill would delete such requirement and provide instead that beginning with the 1978-79 fiscal year, such unexpended funds be used for capital outlay if the district was not an applicant for the school housing aid mentioned above. If the district was such an applicant, then such unexpended balances received before July 1, 1980, would be applied as a direct reduction of apportionments to be made under the school housing aid law. Amounts received after that date would be used to reduce a specified tax levy to repay certain loans. The provisions regarding the use of tax proceeds would be repealed on June 30, 1985.

(3) Under existing law, a school district may have a tax levied and collected for earthquake safety purposes until July 1, 1978, up to \$0.10 per \$100 of assessed valuation and may levy an additional \$0.10 per \$100 of assessed valuation if specified matching state funds are required.

This bill would authorize the maximum levy in certain instances even when matching state funds are not available and only a minimal specified state apportionment is provided.

(4) Existing law grants the homeowners' property tax exemption in the amount of \$7,000 of the full value of qualified dwellings and continuously appropriates state funds for subventions to local government to compensate for property tax revenues lost by reason of such exemption.

This bill would increase the amount of such appropriation by authorizing an increased rate of property tax.

(5) Under current law, the State School Building Lease-Purchase Law of 1976 will become operative only upon approval of a bond act to finance the law by the voters at the 1976 primary or general election.

This bill would make such law become operative immediately, to be implemented at such time as funds become available from any other source.

(6) Under existing law, a school district may adjust its revenue limit when it is anticipated that its second principal apportionment will be less than those of the preceding school year. Excluded from such computation are defined adults and summer school average daily attendance.

This bill would also exclude, in the case of the San Juan Unified School District, the average daily attendance of Indo-Chinese refugees.

(7) Under existing law, school buildings, with certain exceptions, may not be used for school purposes after June 30, 1975, unless such buildings comply with prescribed structural standards. This bill would permit the continued use, under certain conditions, of nonconforming portable buildings to meet temporary housing needs of school districts.

This bill would take effect immediately as an urgency statute.

Ch. 703 (AB 2994) Garamendi. Claims against the state.

This bill would appropriate \$724,740.20 from various funds and accounts to the State Board of Control to pay the claims of the Secretary of the State Board of Control.

This bill is to take effect immediately as an urgency statute.

Ch. 704 (AB 4478) Chacon. Public social services.

Under existing law San Diego County's share of Medi-Cal costs is determined by multiplying the base amount, \$8,050,000, by the ratio of the county's modified assessed value in each subsequent year to the county's modified assessed value in the base year.

This bill would reduce the base year amount for San Diego County to \$6,763,000 for the 1976-77 fiscal year and subsequent fiscal years.

Ch. 705 (AB 3368) Robinson. Public utilities.

Present law does not prohibit the Public Utilities Commission from approving charges by telephone corporations for telephone directory assistance.

This bill would prohibit the commission from permitting such corporations ~~from assessing~~ [to assess] * a separate charge for such assistance over and above what is included in the monthly service charge.

This bill would be repealed by its own terms on January 1, 1979.

Ch. 706 (AB 3414) Lewis. Physicians and surgeons.

Existing law exempts a person licensed under the Medical Practice Act from payment of the license renewal fee while engaged in full-time active service in the medical corps of the Army, Navy, Air Force or Marines or in the United States Public Health Service or while fulfilling training and active service under the Selective Service Act.

This bill would exempt a physician and surgeon from the payment of such renewal fee provided such physician and surgeon has practiced medicine in California for 20 years or more, has reached the age of retirement under the Social Security Act, receives social security benefits, and customarily provides his or her services free of charge and provided that in the event charges are made for such services they shall be nominal and the aggregate in any single year shall not be an amount which would result in his or her income discontinuing his or her eligibility for full social security benefits.

Ch. 707 (AB 3430) Keene. Municipal courts: Eureka.

Existing law provides for the classification and compensation for municipal court employees in the Eureka Municipal Court District of Humboldt County.

This bill would change some of the classifications, increase the salaries for municipal court employees in the Eureka Municipal Court District of Humboldt County, and would provide for equivalent county job classifications for purposes of temporary salary adjustments.

Notwithstanding Section 2231 of the Revenue and Taxation Code, the bill would make no reimbursement nor appropriation because of a specified reason

Ch. 708 (AB 1893) Fazio. Local district consolidation.

(1) Under existing law, the creation or reorganization of a local agency and the establishment of boundaries thereof are not effective for property tax or assessment purposes for an ensuing fiscal year unless a statement and map or plat are filed with the appropriate county assessor and the State Board of Equalization on or before the preceding January 1.

This bill would provide that the formation of the East Yolo Community Services District is effective for assessment and taxation purposes for the 1976-77 fiscal year if the required documents are filed on or before August 20, 1976, instead of the January 1, 1976 deadline.

(2) Existing law establishes maximum property tax rates for local agencies, including special districts.

This bill would provide that notwithstanding those provisions of law, the maximum property tax rate for the East Yolo Community Services District for the 1976-77 fiscal year shall be as specified.

(3) Existing law provides for the homeowners' property tax exemption in the amount of \$1,750 of the assessed value of qualified dwellings, and state funds are continuously appropriated to compensate local governmental entities for property tax revenues lost by reason of such exemption.

One of the effects of an authorization for the East Yolo Community Services District to levy a property tax rate in 1976-77 would be to alter the existing appropriation to compensate local governmental entities for property tax losses caused by the homeown-

ers' property tax exemption.

The bill would provide that notwithstanding Section 2231 of the Revenue and Taxation Code there shall be no reimbursement pursuant to that section nor appropriation made by this bill for a specified reason.

This bill would take effect immediately as an urgency statute.

Ch. 709 (AB 3793) Keene. Water suppliers: conservation measures.

(1) Under existing law there is no provision which expressly authorizes water suppliers in general to require, as a condition of new service, the installation of water-saving devices.

This bill would expressly authorize any supplier of water for municipal use in the state to undertake a water conservation program and to require, as a condition of new service, that reasonable water-saving devices and water reclamation devices be installed to reduce water use.

(2) Under existing law, the Department of Water Resources is authorized to make loans to public agencies for the development, control, and conservation of water resources, on specified terms and conditions.

This bill would authorize such loans in calendar years 1976 and 1977 in amounts of not more than \$100,000, and an aggregate of not more than \$2,000,000, to public agencies, as defined, with less than 100,000 population on specified terms and conditions to provide emergency services needed to maintain water supplies in drought situations. The bill would also provide that, notwithstanding any statutory limitations, but subject to constitutional requirements, on its existing powers, any such public agency is authorized, without an election, to borrow and expend funds pursuant to the provisions enacted by the bill to relieve water shortage emergencies within its boundaries.

(3) This bill would take effect immediately as an urgency statute.

Ch. 710 (AB 4099) Torres. Youth Authority: wards—grievance procedure.

Existing law does not provide for a grievance procedure for wards of the Youth Authority.

This bill would require the Director of the Youth Authority to establish and maintain for wards a grievance procedure, as specified, including participation by wards and employees of the authority, written responses, priorities, representation, safeguards against reprisals, full hearings, appeals, advisory arbitration, as specified, monitoring, annual evaluations, and related reports.

Ch. 711 (SB 900) Song. Legislative reporters: compensation.

Existing law specifies that the compensation of each officer and employee of the Senate or Assembly shall be fixed, insofar as such compensation is fixed by the Senate or Assembly, respectively, by resolution and specifies that the compensation of legislative committee reporters for reporting the testimony and proceedings and for transcribing copies shall not exceed that provided for certain court reporters.

This bill would repeal the provisions which specify that the compensation of legislative committee reporters for reporting the testimony and proceedings and transcribing copies shall not exceed that provided for certain court reporters

Ch. 712 (SB 1549) Roberti. Landlord and tenant.

Under existing law, statutory provisions governing the hiring of real property and specifying acts constituting unlawful detainer do not specify the tenants and other persons who hire dwelling units to which they are applicable.

This bill would specify the tenants and other persons who hire dwelling units to which these provisions are applicable.

Under existing law, among other things, a person is guilty of a forcible entry who, after entering peaceably upon real property, turns out by force, threats, or menacing conduct, the party in possession.

This bill would specify that a party in possession means any person who hires real property and includes a boarder, or lodger, except those persons who are not tenants or other persons who hire dwelling units, as provided by the bill, for purposes of the application of the provisions governing the hiring of real property

Ch. 713 (SB 1562) Richardson. Taxidermy: unclaimed skins.

Existing law requires taxidermists to make and keep specified records regarding bird and animal parts that are kept for taxidermy purposes.

This bill would provide that a taxidermist, if permitted by the regulations of the Fish and Game Commission, may sell the skin of any fish, reptile, bird, or mammal if it is not paid for, or it is not picked up pursuant to designated Civil Code provisions. The bill would also require the commission to adopt regulations requiring notice at the place of business of the taxidermist that such skin is subject to such sale.

Ch. 714 (SB 1632) Marks. Water treatment facilities: advisory committee.

(1) Under existing law, a five-member advisory committee, appointed by the Governor, is required to approve standards established by the Director of Health for the education and training of existing and prospective water treatment plant operators and to approve criteria established by the State Department of Health classifying the type of water treatment plants.

This bill would increase the advisory committee to six members by adding a person who is a member of an organized labor union which represents water treatment plant operators as a member.

(2) Under existing law, the director is required to consult with the California Public Service Education and Training Advisory Council in establishing criteria and standards for the education and training of water treatment plant operators.

This bill would delete the requirement that the director consult with such council in establishing such criteria and standards.

Ch. 715 (SB 1634) Smith. Community colleges: governing boards: powers.

Under current law, the governing board of a community college district generally may contract for goods and services, but there is no specific authorization to reimburse other governmental entities for services of benefit to the district.

This bill would authorize community college governing boards to contract with cities, counties, county superintendents of schools, and other governmental entities for services which provide a benefit to the district.

Ch. 716 (SB 1781) Holmdahl. Municipal court judges.

Under existing law, the San Leandro-Hayward Judicial District established in Alameda County has 6 municipal court judges.

This bill would increase the number of municipal court judges in the San Leandro-Hayward Judicial District from 6 to 7.

Notwithstanding Section 2231 of the Revenue and Taxation Code, the bill would make no reimbursement nor appropriation because of a specified reason.

Ch. 717 (SB 1821) Dunlap. Probate.

Under existing law there is no provision made for the issuance of certificates that persons have been duly appointed and are acting trustees of a trust created by will.

This bill would require the clerk of the court to issue, upon application of the trustee or trustees of a trust created by a will, a certificate that the trustee or trustees are duly appointed and acting trustee or trustees under the will.

This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency by this bill because the bill will not cause any burden to local government.

Ch. 718 (SB 1859) Kennick. State employees' medical care: coverage.

Existing law permits annuitants who were enrolled in a health benefits plan on the date of the death of a member to continue enrollment.

This bill would authorize the coverage of annuitants and family members when the death of a member occurs between the date of written application and the effective date of coverage. The provision would be applicable with respect to members whose death was a result of injury in the course of employment on and after November 1, 1975.

The bill would provide that no appropriation is made for the reimbursement of any local agency for any costs incurred by it.

The bill would take effect immediately as an urgency statute.

Ch. 719 (SB 1898) Presley. Solid waste disposal.

Under existing law the primary responsibility for solid waste management and planning rests with local government, but local solid waste management and planning must conform to the local solid waste management plan approved by the State Solid Waste Management Board.

This bill would authorize the State Solid Waste Management Board to render technical assistance and make recommendations concerning potential solid waste disposal sites upon the request of the board of supervisors of any county. The bill would authorize the board to request any state agency to assist the board in providing such services, and would require the board of supervisors of any county requesting such services to reimburse the state for the cost of providing the services pursuant to an agreement with the board. The bill would specify that final selection of any such site shall remain with the board of supervisors.

Ch. 720 (SB 1907) Schrade. Boxing and wrestling.

Existing law makes no provision for a transient club license.

This bill would establish a transient club license which is defined as a license issued to be used in more than one location to promote professional boxing and wrestling matches in cities of under 100,000 population, and not to be used more than 6 times each calendar year in any given city. This bill would prohibit the use of this license in any city where regularly scheduled matches are being conducted.

Existing law prohibits the State Athletic Commission from issuing any license to conduct, hold, or give boxing contests, sparring or wrestling matches, or wrestling exhibitions, where an admission fee is received, to any club unless the club holds a lease for a term of at least 6 months on the premises in which the contest, match or exhibition is to be held, except where such contests, or exhibitions are to be conducted, held, or given in an armory, or publicly owned auditorium or hall and the club presents a statement in writing from the duly authorized body or official in control of the building that the club has permission to use the building.

This bill would delete from the above prohibition the condition that the club hold a lease for a term of 6 months of the premises in which the contest, match, or exhibition is to be held and would extend the exception from the above prohibition to contests, matches, or exhibitions conducted, held, or given in a privately owned auditorium or hall.

Existing law requires that before any license is granted to a club to conduct, hold, or give a boxing contest or sparring match, the applicant therefor file a bond of \$2,000, with surety, with the commission, as specified. Similarly, a \$1,000 bond is required of a license applicant to conduct, hold, or give an amateur boxing contest, sparring or wrestling match for which an admission fee is received.

This bill would provide that only one such bond, cash, or equivalent surety shall be required of a club regardless of the number of licenses held as long as no 2 events are staged by that club on the same date.

Existing law provides that all boxing contests, sparring or wrestling matches, or wrestling exhibitions may be held in any building for which the commission in its discretion may issue a license.

This bill would provide that a club holding a transient club license, as defined, need not obtain an additional license for each location approved by the commission.

This bill would require the payment of a \$150 annual license fee for such a license.

Existing law requires an annual license fee of \$50 for referees.

This bill would retain the \$50 license fee as to professional referees and would require a \$25 annual license fee for amateur boxing referees. It would also require a \$10 annual license fee for professional and amateur judges.

Ch. 721 (SB 2058) Russell. Credit unions.

Existing law provides that every credit union may apply for insurance as provided for by Title II of the Federal Credit Union Act.

This bill would require credit unions to have share guaranty or insurance under Title II of the Federal Credit Union Act, or a form of comparable insurance acceptable to the Commissioner of Corporations not later than January 1, 1980. This bill would also provide that credit unions who have not obtained insurance by January 1, 1980, shall commence

with orderly liquidation or merger proceedings.

Ch. 722 (SB 2065) Behr. Superior courts: Marin County.

Existing law provides that there shall be 5 judges of the superior court in Marin County and permits the court to appoint a commissioner-referee to perform the duties of a commissioner and juvenile court referee.

This bill would increase the number of judges from 5 to 6 on January 1, 1977, and eliminate the position of commissioner-referee on July 1, 1977.

The bill would also appropriate \$60,000 to the State Controller for allocation and disbursement to Marin County for costs incurred by the county pursuant to the act.

Ch. 723 (AB 2635) Robinson. Local agencies financial affairs.

Chapter 498 of the Statutes of 1975 authorized the treasurer of local agencies to contract with a depository for certain services under certain conditions.

This bill corrects an erroneous reference therein.

Ch. 724 (AB 2731) Lanterman. Validations.

This bill is the Second Validating Act of 1976 and validates the organization, boundaries, acts, proceedings, and bonds of counties, cities, and specified districts, agencies and entities.

This bill is to take effect immediately as an urgency statute.

Ch. 725 (AB 2732) Lanterman. Validations.

This bill is the Third Validating Act of 1976 and validates the organization, boundaries, acts, proceedings, and bonds of counties, cities, and specified districts, agencies and entities.

Ch. 726 (AB 2806) Burke. Superior Court: Orange County.

Existing law specifies that there shall be 33 judges of the superior court in Orange County.

This bill would increase the number of superior court judges in Orange County from 33 to 37, provided that a vacancy shall not exist in the additional positions until the Orange County Board of Supervisors agrees by resolution to pay local costs in excess of state appropriations for each such position.

This bill would specify that there are no new duties, obligations or responsibilities imposed on local government by the bill.

Ch. 727 (AB 2943) Foran. Workers' compensation.

The existing law requires the Legislative Analyst to report to the Legislature on or before December 31, 1977, on the net cost to local agencies of the changes in the Workers' Compensation Law made by Chapter 1259 of the Statutes of 1975.

This bill would instead require the Department of Finance to make such report to the Legislature.

Ch. 728 (AB 3021) Garamendi. Cemeteries: disclosures: interments: cremations.

(1) Every cemetery authority operating a cemetery and subject to the Cemetery Act is required to have a certificate of authority issued by the Cemetery Board. Nothing in present law requires a cemetery authority to obtain a new certificate of authority when ownership of the cemetery authority is transferred or to give notice of any proposed changes in ownership of the cemetery authority.

This bill would require cemetery authorities to give prescribed notice of such a proposed change of ownership to the Cemetery Board and to publish a specified notice in a newspaper of general circulation in the county. The bill would require each cemetery authority to post a prescribed sign at each public entrance to the cemetery containing specified information relating to ownership thereof. The bill would require that a new certificate of authority be obtained when there is such a change of ownership, and would prohibit the purchase of a cemetery, including purchase at a sale for delinquent taxes, or purchase of more than 50% of the equitable ownership of a cemetery authority, without first obtaining a new certificate of authority. The bill would define changes of ownership for purposes of the bill and would require the Cemetery Board to suspend the certificate of authority of any cemetery authority in violation of the sign and public

notice requirements of the bill, which could not be reinstated until there is compliance with such requirements.

This bill would also empower the board to authorize interments in cemeteries for which there is no certificate of authority under prescribed circumstances and would empower the board to inspect and copy cemetery records for such purpose or to obtain a court order temporarily transferring custody of cemetery records to the board for such purpose.

(2) Present law makes it a misdemeanor for any cemetery corporation to make any interment without a valid subsisting, and unsuspended certificate of authority.

This bill would additionally make it a misdemeanor for any cemetery corporation to perform any cremation without such a certificate of authority.

(3) Present statutes do not require the Cemetery Board to prescribe standards of knowledge and experience and financial responsibility for applicants for a certificate of authority for operation of a cemetery subject to the Cemetery Act.

This bill would require the board to adopt such standards by rules and regulation.

(4) The Business and Professions Code specifies crimes and acts which are general grounds for denial of a license, certificate, or registration under such code.

This bill would authorize the Cemetery Board, in reviewing an application for a certificate of authority to operate a cemetery subject to the Cemetery Act, to consider such crimes and acts of incorporators, officers, directors, and stockholders of the applicant.

(5) This bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by this bill for a specified reason

Ch. 729 (AB 3024) Garamendi. Cemetery authorities.

(1) There are no special provisions of existing law which would prescribe the form of contracts of cemetery authorities to provide a plot, niche, or vault or merchandise or service, except with respect to certain disclosure respecting lack of endowment care.

The bill would require such contracts to be in writing and to contain specified disclosures. The purchaser under such a contract could cancel the contract, without penalty or obligation, at any time within 5 calendar days after signing it by giving a prescribed written notice; provided no interment or substantial merchandise or services have been provided under the contract.

(2) Annual reports of cemetery authorities to the Cemetery Board are not public records under present law.

This bill would make such reports public records of the board and such reports would be required to be available for public inspection, as specified.

(3) Present law specifies qualifications for trustees of endowment care funds but not special care funds of cemetery authorities. Present law requires the board of trustees of an endowment care fund to be at least 3 in number.

This bill would revise the qualifications for individual trustees of endowment care funds to prohibit more than one such trustee from having a proprietary interest in the cemetery authority, and would require special care funds to be managed by the trustee or trustees of the endowment care fund or by trustees meeting the qualifications for trustees of endowment care funds. The bill would not operate to modify the terms of any special care trust established prior to its effective date.

(4) Present law prescribes standards for investment of special care funds.

This bill would prescribe eligible investments for special care funds, but would not require liquidation or transmutation of existing lawful investments.

(5) The bill would provide that no appropriation is made for the reimbursement of any local agency for any costs incurred by it pursuant to the bill because of a specified reason.

Ch. 730 (AB 3107) Knox. Local Agency Investment Fund.

Existing law does not provide for a Local Agency Investment Fund as a special fund in the State Treasury, nor for a Local Investment Advisory Board.

This bill would establish such a fund; prescribe various duties for state officials regarding the fund; and permit local agencies to remit money to the State Treasurer for deposit in the fund for the purpose of investment.

The bill would also establish the Local Investment Advisory Board and prescribe various duties for the board.

Ch. 731 (AB 3266) Calvo. Municipal courts: Gilroy-Morgan Hill.

Under existing law, there are 5 municipal court districts in Santa Clara County

This bill would establish a sixth municipal court district in Santa Clara County. The district would be named the Gilroy-Morgan Hill Judicial District and would consist of 1 judge, and 1 court clerk who could appoint 5 deputy court clerks.

The bill would make additional changes in Sec 74661, Government Code, proposed by SB 1465, to be operative only if SB 1465 and this bill are both chaptered, and this bill is chaptered after SB 1465.

The bill would further provide that no appropriation or reimbursement of local agencies is made for costs incurred by them pursuant to this bill for a specified reason.

Ch. 732 (AB 3369) Robinson. Counties: contracts for financial or accounting services.

There is no specific provision in the law authorizing counties to enter into contracts with other public entities to provide financial or accounting services.

This bill would authorize a county to contract with any special district, including a school district, for the purpose of providing financial or accounting services to such district, where a county provides financial or accounting services to a special district, including a school district, and such district requests either a type of financial or accounting service not currently provided to the district by the county, or that a financial or accounting service currently provided to the district by the county be furnished more frequently. Financial or accounting services would include, but not be limited to, the preparation and issuance of checks and warrants and the furnishing of the status of accounts. The bill would make it a lawful charge for such a district to pay the county for the cost of such services.

Ch. 733 (AB 3571) Chappie. Superior court judges: Nevada County.

The Constitution presently requires that there be at least 1 judge of the superior court of each county.

This bill would increase the number of superior court judges in Nevada County from 1 to 2.

The bill would also appropriate \$60,000 to the State Controller for allocation and disbursement to Nevada County for costs incurred by the county pursuant to this act.

Ch. 734 (AB 3618) Duffy. Psychologists: biofeedback instruments.

Existing law makes no specific provision for the use of biofeedback instruments by psychologists.

This bill would permit a licensed psychologist to use biofeedback instruments which do not pierce or cut the skin to measure physical and mental functioning.

Ch. 735 (AB 3855) Hayden. Insurance: production agency records.

Existing law requires every insurance agent and broker to keep complete records of all insurance transacted by him, and designates certain information which must specifically be kept. All such records are required to be kept at the principal office of the agent or broker, with certain exceptions.

This bill would repeal the existing provisions, and require the Insurance Commissioner to promulgate rules and regulations specifying the manner and type of records to be maintained by agents and brokers, and the location where the records shall be kept. Each agent and broker would be required to keep records in the manner specified in the regulations.

Ch. 736 (AB 3856) Hayden. Insurance: unremitted fiduciary funds.

Existing law provides that a managing general agent, as defined, may commingle funds of his principal with his own funds to an unlimited extent and shall maintain such fiduciary funds on California business held for such principals at all times in a trustee bank account or depository in California for an amount equal to the net due to all such principals, net of commissions received by the managing agent and unpaid to the persons entitled thereto.

This bill would restrict the funds that may be commingled.

Ch. 737 (AB 3974) Keene. Medi-Cal.

Under current law, the Health Care Commission consists of 15 members and makes recommendations on the Medi-Cal budget, Medi-Cal reimbursement rates, and proposed program regulations to the State Director of Health.

This bill would eliminate such provisions.

Ch. 738 (AB 3889) Sieroty. Correctional industries.

Existing law permits the Department of Corrections to cause prisoners in state prisons to be employed in rendering services, and in certain manufacturing activities, as may be needed by the state or its subdivisions, and in rendering services for the federal government.

This bill would specify that both services and manufacturing activities for the federal government are permitted, and would permit such activities as may be needed by another state.

The bill would encourage state agencies to consult with the staff of the Correctional Industries Commission for the maximum utilization of products of correctional industries.

The bill would also permit products of California state correctional industries to be offered for sale to inmates of the Department of Corrections, as specified.

Ch. 739 (AB 3691) McVittie. Food: labeling for dietetic purposes.

The Milk and Milk Products Act of 1947 requires that a milk product or a product resembling a milk product purported to be or represented for special dietary use by reason of its use as a means of regulating intake of protein, fat, carbohydrates, or calories, for purposes of controlling weight or purposes of dietary management with respect to disease, be labeled with the following information:

(1) The weight per specified serving of protein, fat, and available carbohydrates in such milk product or a product resembling a milk product.

(2) The number of available calories supplied by a specified quantity of such milk product or a product resembling a milk product.

The labeling requirements are specifically made inapplicable to a milk product or a product resembling a milk product, packaged in a glass container.

The bill would also exempt from such labeling requirements, a milk product supplied to the consumer in a fluid state and packaged in a plastic container with a content volume of one pint or less.

Ch. 740 (AB 3934) Maddy. Insurance: surety insurers.

Existing law provides that in all cases where an undertaking or bond, with any number of sureties is authorized or required by law, any corporate or reciprocal insurer, possessing a certificate of authority from the Insurance Commissioner authorizing it to write surety insurance may become and shall be accepted as security or as sole and sufficient surety upon such undertaking or bond, and such corporate surety shall be subject to all the liabilities and entitled to all the rights of natural persons' sureties.

This bill would provide that such undertaking or bond shall be accepted or approved by all courts and magistrates in this state if executed under penalty of perjury in the name of the insurer by a person authorized to do so by an unrevoked power of attorney on file in the office of the clerk of the county in which the court or magistrate is located or, if a bail bond or undertaking of bail, it shall be accepted or approved if issued in the name of the insurer by a person authorized to do so by such a power of attorney and executed by a licensed bail agent of such insurer under penalty of perjury; that one person may both issue and execute the bail bond or undertaking of bail if qualified; and if it is so executed, no further acknowledgment shall be required.

Ch. 741 (AB 3956) Lanterman. Air pollution: new motor vehicles: schoolbuses.

Existing law prohibits any new motor vehicle from being certified by the State Air Resources Board unless the vehicle or engine meets emission standards of the state board under its adopted test procedures.

This bill would authorize the state board to certify a new motor vehicle designed for exclusive use as a schoolbus, or an engine in such a schoolbus, if (1) the Administrator of the Environmental Protection Agency has granted a certificate of conformity pursu-

ant to the Clean Air Act, (2) the manufacturer demonstrates that an engine suitable for use in the manufacturer's standard type of schoolbus which meets the applicable emissions standards established by the state board is not available for installation, and (3) the manufacturer makes a showing to the state board of a good faith effort to manufacture or procure an engine or redesign the schoolbus to accommodate an engine meeting emission standards.

Ch. 742 (AB 4007) Egeland. Psychiatric technicians.

Under existing law, the provisions of the Psychiatric Technicians Law are not applicable to certain licensed professionals.

This bill would include teachers holding specified certificates among those professionals for whom that law is not applicable.

Ch. 743 (AB 4084) Alatorre. Personal property brokers; small loan law licensees.

~~Present law provides that personal property broker's licenses are not transferable or assignable.~~

~~This bill would allow licensees organized as partnerships to continue operations under their personal broker license when there is a change of partners so long as such change does not dissolve the partnership. The same change is proposed for the Small Loan Law.*~~

Present law requires licensees to file an annual report with the commissioner on or before March 15.

The bill would provide for summary license revocation procedures in cases where annual reports are not filed on time

Licensees are presently required to notify the commissioner when they desire to change places of business to an address other than that designated in the license.

This bill would set out a specific time period for notification of a change of address of a licensee to the department.

At the present time, the law does not provide for a penalty for the late payment of renewal fees.

The bill would provide for a payment of a penalty equal to one-fourth of the state license fees involved.

Existing law provides that a license application shall be considered withdrawn if the applicant fails to respond to a written notification of a deficiency within 6 months of the date of such notification. The statute further provides that the commissioner shall within 60 days from the filing of an application for a license either issue the license or file a statement of issues.

This bill would provide that an application shall be considered withdrawn if the applicant fails to respond to a written notice of deficiency within 90 days from the date of such notification and that the commissioner shall within 60 days from the filing of a full and complete application for a license either issue the license or file a statement of issues.

Finally, this bill would make other changes to eliminate the masculine gender for the sections being amended.

Ch. 744 (AB 4097) Keerie. Vessel operation and equipment.

Existing state law imposes certain requirements concerning the operation and equipment of motorboats and other vessels on state waters. The Federal Boat Safety Act of 1971 provides for the establishment of comprehensive safety regulations and standards for boats and associated equipment and permits federal officials to accept state boating safety programs which meet specified requirements for the purpose of implementing and supplementing the act

This bill would expand state regulation of the use and equipment of boats, as defined, and associated equipment, as defined, consistent with the Federal Boat Safety Act of 1971. The bill would repeal certain provisions governing the equipment of motorboats and would authorize the Department of Navigation and Ocean Development to issue regulations governing safety standards for boats and associated equipment which are in conformity with applicable federal laws. The bill would authorize the department to establish and maintain for the use of vessels rules of the road and pilot rules in conformity with federal navigation laws or rules and would make violation a misdemeanor punish-

able as prescribed. The bill would specify the applicability of state law to various types of vessels and would make other conforming changes.

The bill would provide that there shall be no reimbursement for any state-mandated local program.

Ch. 745 (AB 4218) Siegler. Milk products; nutritional content, labeling: eggnog ingredients.

(1) Under the existing law the Director of Food and Agriculture is required to establish labeling requirements for nutritional content and dietary values of milk products and products resembling milk products. It specifically requires such labeling requirements to be consistent with, and not exceed nor be more restrictive than, nutritional content and dietary values labeling requirements established under the Federal Food, Drug and Cosmetic Act.

This bill would, instead, require such labeling requirements to be consistent with the nutritional content and dietary values labeling requirements established under such federal act. It would permit the director to establish labeling requirements for nutritional content and dietary values of milk products and products resembling milk products where the agency administering such federal act has not acted to adopt such labeling requirements.

(2) Existing law prescribes the ingredients that may be used in eggnog.

This bill would authorize the director to permit the use of wholesome, edible dairy products as additional permissible ingredients in eggnog.

Ch. 746 (AB 4282) Lockyer. Labor: Governor's Reorganization Plan No. 2.

Obsolete statutory provisions establish in the Department of Industrial Relations a Division of Labor Law Enforcement and a Division of Industrial Welfare. The Governor's Reorganization Plan No. 2 of 1975 abolished the Division of Labor Law Enforcement and the Division of Industrial Welfare and created a new Division of Labor Standards Enforcement within the Department of Industrial Relations. The Division of Labor Standards Enforcement succeeded to all present functions and responsibilities of the Divisions of Labor Law Enforcement and Industrial Welfare. The new division is under the direction of the Labor Commissioner who is the Chief of the Division of Labor Standards Enforcement.

This bill would codify the changes made by the Governor's Reorganization Plan No 2 of 1975.

Ch. 747 (AB 3286) Garamendi. Credit cards: notice of interest and finance charges.

Existing law regulating credit card transactions makes no provision requiring annual notification to cardholders of interest and finance charges paid during the calendar year.

This bill would require credit card issuers, as defined, to furnish a statement to cardholders, no later than February 15th of each year, of the amount of interest or finance charges collected during the preceding calendar year.

Existing law requires a retail seller under a retail installment account whose annual sales exceed \$150,000,000 to annually provide the buyer, not later than March 1 of each year, with a statement of the finance charges assessed the buyer in the previous year.

This bill would exempt from its provisions all card issuers or cardholders who issue or use credit cards in connection with such retail installment accounts.

This bill would become operative January 1, 1978.

Ch. 748 (AB 3702) Papan. Property taxation: assessment hearing officers.

Existing law authorizes a county board of supervisors to appoint one or more assessment hearing officers to conduct hearings on assessment protests and make recommendations to the county board of equalization or assessment appeals board. Such officers may conduct hearings where, among other things, the total assessed value of the property under consideration, as shown on the current assessment roll, does not exceed \$25,000.

This bill would authorize such officers to conduct hearings if [the value of] * the property under consideration [does not exceed \$25,000 or such property] * is a single-family dwelling, condominium, or cooperative ~~where such assessed value does not exceed \$25,000,~~ * or a multiple-family dwelling of four units or less regardless of value.

Ch. 749 (AB 4507) Egeland. Solid waste disposal sites.

Existing law prohibits a person from establishing a solid waste disposal site, transfer station, waste processing site, or resource recovery site not in conformance with the county solid waste management plan approved by the Solid Waste Management Board.

This bill would instead prohibit establishment of a solid waste disposal site without a determination by the county that the distance from the site to the nearest residential structures is in compliance with all of the state minimum standards for solid waste management, and especially that such distance is sufficient to permit adequate control of noise levels, odor and litter nuisances, traffic congestion and vectors.

The bill would provide that no appropriation or reimbursement shall be made because the duties imposed on local government entities by the bill are such that related costs are incurred as part of their normal operating procedures.

This bill would take effect immediately as an urgency statute.

Ch. 750 (SB 575) Robbins. Crimes: sexual assault: victims, services; peace officers: training.

(1) The present law prohibits charging to the victim of a sexual assault the costs incurred by a hospital or other emergency medical facility for examination of the victim, if the examination is for the purposes of gathering evidence for possible prosecution.

There is no present law requiring such a victim to be given free tests for venereal disease and pregnancy, requiring professional personnel trained in examining such victims to be present or on call at a county hospital at all times, or requiring the use of a standard and complete form for recording medical data disclosed by examination of such victims.

This bill would require that:

(a) Professional personnel trained in examining victims of rape and other sexual assaults be present or on call at each county hospital in a county over 500,000 population at all times.

(b) A county hospital provide such victims with testing for venereal disease and pregnancy, without charge, and provide such victims with information and application forms re indemnification by the state of victims of crimes.

(c) The Department of Justice adopt a form for recording medical data of an examination of such a victim, and make such forms available to county hospitals and other public and private general acute care hospitals, as specified.

(d) Each physician and surgeon in a county hospital use such forms, and provide all data required thereby, when conducting an examination for evidence of a rape or other sexual assault, and that such forms be confidential medical records which could only be released under specified conditions.

(e) The State Department of Health adopt a protocol for the examination and treatment of a victim of rape or other sexual assault, and the protocol be transmitted to and utilized in specified types of hospitals.

(2) Existing law requires the Commission on Peace Officer Standards and Training to adopt rules establishing minimum standards for the purpose of raising the level of competence of local law enforcement officers, and provides for allocation of state funds to local agencies which comply with such standards.

This bill would also require the preparation of specified guidelines, the inclusion of certain instruction in specified courses of training, and the preparation of a special course of training, relating to the investigation of sexual assault cases, for the purpose of encouraging the establishment of sex crime investigation units in police agencies.

This bill would provide that neither appropriation is made nor obligation created for allocation and disbursement pursuant to Section 2231 of the Revenue and Taxation Code for reimbursement to local agencies for specified purposes

Ch. 751 (SB 939) Mills. Nonmotorized transportation

(1) Under existing law, a bicycle is required to be operated as near the right-hand curb or edge of the roadway as practicable, except that a bicycle may be operated as near the left-hand edge or curb of the roadway of a highway which carries traffic in one direction and has 2 or more traffic lanes. Further, existing law declares that a person riding a bicycle on a roadway is subject to specified rules of the road and laws relating to accident reports.

This bill would specify other situations under which a bicycle operated upon a roadway need not be operated as near the right-hand curb or edge of the roadway as practicable.

(2) Under existing law, no person operating a bicycle upon a highway may permit any person to ride on the handlebars.

This bill would prohibit the operator of a bicycle upon a highway from allowing a person to ride, and would prohibit a person from riding as a passenger other than upon or astride a separate seat attached to the bicycle. If the passenger is a minor weighing 40 pounds or less, the seat is required to have adequate provision to retain the minor in place and to protect the minor from the moving parts of the bicycles.

(3) Under existing law, statutory provisions on rules of the road do not preclude local authorities from regulating, among other things, the operation and equipment of bicycles, if such local regulations do not conflict with provisions of the Vehicle Code.

This bill would delete such authority of local authorities to adopt local regulations regarding bicycle equipment. Such authority would be extended to the parking of bicycles on pedestrian and bicycle facilities, if the local regulations do not conflict with provisions of the Vehicle Code.

(4) The bill would also do the following:

(a) Specify rules regarding the operation of bicycles when in, and when leaving, bicycle lanes.

(b) Specify rules regarding the operation of motor vehicles with respect to bicycle lanes.

(c) Prohibit a person from leaving a bicycle lying on its side on a sidewalk, or parking a bicycle on a sidewalk in any other position, so that there is not an adequate path for pedestrian traffic.

(d) Authorize local authorities to prohibit bicycle parking in designated areas of public highways if appropriate signs are erected.

(e) Prohibit any pedestrian from proceeding along a bicycle path or lane where there is an adjacent adequate pedestrian facility.

(5) Under existing law, the driver of a vehicle about to enter or cross a highway from any public or private property, or from an alley, is required to yield the right-of-way to all vehicles approaching on the highway.

This bill would require the driver to also yield the right-of-way to all bicycles approaching on the highway.

(6) Under existing law, a bicyclist, in making a right turn, is required to signal by extending the left hand and arm upward.

This bill would authorize a bicyclist, in making a right turn, to signal by extending the right hand and arm horizontally to the right side of the bicycle.

(7) The bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by this bill for a specified reason.

Ch. 752 (SB 1197) Wedworth. Mobile intensive care paramedics.

Under existing law, a mobile intensive care paramedic rendering care at the scene of an emergency is not liable for civil damages as a result of following the instructions of a physician or nurse if the paramedic follows such instructions in good faith and in a nonnegligent manner, unless the paramedic knew or should have reasonably known that following such instructions would be medically inappropriate.

This bill would revise such existing law to give a mobile intensive care paramedic rendering care within the scope of his duties an exemption from liability for civil damages as a result of following the instructions of a physician or nurse if the paramedic follows such instructions in good faith and in a nonnegligent manner.

Ch. 753 (SB 1274) Holmdahl. Environmental impact reports: actions.

The existing law (the Environmental Quality Act of 1970) generally requires public agencies to prepare an environmental impact report on projects they propose to carry out or approve which may have a significant effect on the environment. The act authorizes an action to attack, review, set aside, void, or annul an act or decision of a public agency on the grounds of noncompliance with such act. Section 389.6 of the Code of Civil Procedure requires any party bringing an action for relief other than solely for money

damages and alleging pollution or adverse environmental effects which could affect the public generally to furnish a copy of the pleading to the Attorney General within 10 days after filing.

This bill would add a provision to the Environmental Quality Act of 1970 expressly requiring any person who brings an action under the act to comply with the requirements of Section 389.6 of the Code of Civil Procedure, and expressly extending such requirement to any amended or supplemental pleading filed in the action. The bill would prohibit the granting of any relief until such requirement is complied with.

Ch. 754 (SB 1392) Stull. Revenue bonds: local agencies.

Under existing law, ordinances authorizing the issuance of certain revenue bonds by a local agency as part of a joint powers entity are required to be published in the manner required for ordinances of the local agency generally or in a prescribed statutory manner.

This bill would require all such ordinances to be published after adoption in accordance with specified requirements.

Existing law also requires that all such ordinances describe, in general terms, enumerated information, and that they must be subject to the referendum provisions that are applicable to the enacting agency.

This bill would require that such ordinances contain the description, in general terms, of the anticipated sources of revenue to redeem the bonds; and it would require that all such bonds be subject to a special referendum procedure.

Ch. 755 (SB 1437) Presley. Community colleges: attendance—residence.

Existing law requires that nonresident students at community colleges pay a tuition fee and specifies certain exceptions to that requirement.

This bill would specify that a student who is a native American, as defined, is entitled to resident classification as a community college student if he is also attending a school administered by the Bureau of Indian Affairs located within the community college district.

This bill would also provide that there shall be no reimbursement nor appropriation made by this bill as it is in accordance with the request of a local governmental entity.

Ch. 756 (SB 1529) Way. Probate: executor's, administrator's fees.

Under existing law, probate courts have the authority to apportion commissions among executors and administrators and to provide additional allowances to the commissions established by statute for the rendering of extraordinary services to the estate. There is no specific time limit within which an estate must be distributed.

This bill would require the executor or administrator of an estate, within a fixed time, to either petition for final distribution of the estate or file a report of the status of administration and would permit probate courts to require the executor or administrator to either file such petition or continue administration upon such terms and conditions as they deem reasonable. If the report or petition is not filed the court or any interested person may require the executor or administrator to show why the estate was not closed in such time period. Failure of the executor or administrator to comply with any order shall be grounds for revocation of letters testamentary or of administration and the court may reduce fees or commissions if the court determines that the time taken to close the estate was not in the best interests of the estate or interested persons.

This bill would further provide that its provisions shall be applicable only to the estates of persons dying on or after the effective date of the bill.

Ch. 757 (SB 1625) Nejedly. Electrical and gas shortages.

Statutory law directed the Public Utilities Commission to establish priorities of electricity and gas usage and among customers of electrical and gas corporations in the order of greatest public benefit and need, and to order service temporarily reduced during any shortage in accordance with such priorities. Statutory law authorized the commission to require electrical or gas corporations to provide mutual assistance during fuel shortage conditions. These provisions terminated July 1, 1976.

This bill would reenact such provisions and appropriate \$70,308 to the commission. The bill would take effect immediately as an urgency statute.

Ch. 758 (SB 1664) Smith. Schools: community colleges; community recreation taxes; reports.

Under current law, school districts and community college districts are authorized to levy and collect a tax for certain community recreation and community service purposes, and are further authorized to conduct community recreation and community services programs.

This bill would require until December 31, 1978, school districts and community college districts to make certain reports regarding expenditures from the proceeds of such tax. The reports would be made by October 31, 1976, and August 31 of 1977 and 1978 for the preceding fiscal year, and would include specified items such as the tax rate and the amount expended for various purposes. The report would be recorded in the minutes and the journal of the respective boards. The bill would also require that an annual summary of such reports be provided to the Legislature.

This bill would specify that it does not create an obligation to reimburse local entities pursuant to Section 2231 of the Revenue and Taxation Code.

This bill would take effect immediately as an urgency statute.

Ch. 759 (SB 1692) Zenovich. Schools: unemployment insurance.

Existing law provides that any school employer failing to pay the contributions, interest, charges, or levies in connection with unemployment insurance is liable for interest on moneys due at the rate of 0.5% per month or fraction thereof from and after the date of delinquency until paid.

School employers are also responsible for quarterly local experience charges and charges for administrative indiscretions, on which, if delinquent, a penalty of 10% of the unpaid amount plus interest at the rate of 0.5% per month or fraction thereof from and after the date of delinquency until paid.

This bill would increase the rate of interest in both instances to 1%.

It would make no appropriation to the State Controller for allocation and disbursement to local agencies for costs incurred by them pursuant to this bill, for a specified reason.

Ch. 760 (SB 1714) Smith. Zoning: school district override.

Existing law permits a school district, under certain conditions, to override local zoning ordinances.

However, under existing law, school districts may not override local zoning when the proposed use of the property by the school district is for nonclassroom purposes, unless the nonclassroom facilities will be located upon or adjacent to, or contiguous to, land used for classroom facilities, in which case school districts are permitted to override local zoning.

This bill will delete the authority of school districts to override local zoning for nonclassroom facilities which are located upon, adjacent to, or contiguous to land used for classroom facilities and thus limit the power of school districts to override local zoning to only those situations involving classroom facilities.

This bill would also provide that there are no state-mandated local costs in this act that require reimbursement under Section 2231 of the Revenue and Taxation Code because there are no new duties, obligations or responsibilities imposed on local government by the bill.

Ch. 761 (SB 1719) Zenovich. State property: disposition and leasing.

This bill would authorize the Director of General Services with the approval of the Public Works Board to dispose of specified parcels of property subject to certain conditions.

This bill would, subject to certain conditions, require the Director of General Services, with the approval of the State Public Works Board, to convey specified property to the City of Soledad at no cost.

In addition this bill would require the Director of General Services to reserve in the state mineral deposits, as defined, with respect to such property.

The bill would allow reimbursement of any cost incurred in the disposition of any parcel in this act.

Ch. 762 (SB 2005) Deukmejian. Marriage dissolution: community property division.

Existing statutes do not prescribe the point in time at which assets and liabilities are to be evaluated, for purposes of community property division in marriage dissolutions.

This bill would require the court to value assets and liabilities as near as practicable to the time of trial, except that, upon specified 30 days' notice, the court, for good cause shown, is authorized to value all or any portion of the assets and liabilities at a date after separation and prior to trial to accomplish an equal division in an equitable manner.

Ch. 763 (SB 2008) Alquist. Public utilities.

Under existing law the charges by a charter-party passenger carrier are required to be computed and assessed on a vehicle mileage or time-use basis, or combination. The charges may vary with vehicle passenger capacity, or the number of persons to be transported. Existing law prohibits charges on an individual-fare basis.

This bill would revise the provision relating to charge variance on the number of passengers to be transported to be, instead, the size of the group to be transported.

This bill would also appropriate \$215,000 for the use and support of the Public Utilities Commission and for its participation in proceedings before federal regulatory agencies which affect the energy needs of the State of California.

The bill would take effect immediately as an urgency statute.

Ch. 764 (SB 2033) Garcia. Drivers' licenses: appropriation to Department of Motor Vehicles for study.

Under existing law, the Department of Motor Vehicles may not issue or renew the driver's license of a person who is unable to operate a motor vehicle safely upon a highway because he experiences lapses of consciousness or because of any other disability, disease, or disorder.

This bill would appropriate \$12,000 from the Motor Vehicle Account in the State Transportation Fund to the department to study such law and the policy of the department with respect to drivers having such mental and physical conditions as may affect their ability to drive safely and require the study to keep separate all data identified, collected, and analyzed for drivers with mental conditions, as distinct from drivers with physical conditions.

The bill would also provide that its provisions would remain in effect only until July 1, 1978.

Ch. 765 (SB 2079) Rains. Superior courts: Ventura County.

Existing law provides that there shall be 7 judges of the superior court in Ventura County and that the number shall increase to 8 on July 1, 1976.

This bill would increase the number of judges from 8 to 9.

The bill would also appropriate \$60,000 to the State Controller for allocation and disbursement to Ventura County for costs incurred by the county pursuant to the act.

Ch. 766 (SB 2107) Carpenter. Subdivided lands.

Existing law specifies that an assessment upon any condominium shall be a debt upon the owner thereof, that such assessment shall be a lien upon the condominium, that such lien shall have priority over other specified liens and provides for enforcement of such liens. There is no such provision for lots, parcels or areas in planned developments.

This bill would provide that such provisions shall apply to delinquent assessments upon lots, parcels or units in a planned development, as specified.

Ch. 767 (SB 2135) Stull. Community colleges: regional occupational centers and programs.

Under current law, a community college district may contract with a regional occupational center or program for the attendance of community college students in the center or program. Further, the staff and facilities of a community college district may be utilized by school districts for regional occupational centers and programs under certain circumstances.

This bill would specifically authorize a regional occupational center or program to contract with a community college district to provide vocational education instructional services for students enrolled, or seeking to enroll, in the center or program.

This bill would also specifically authorize county boards of education to contract with and employ specially trained persons to provide services and advice in financial, economic, accounting, engineering, legal, and administrative matters.

It would also take effect immediately as an urgency statute.

Ch. 768 (SB 2186) Stull. County procedure.

(1) Current law does not require the publication of an ordinance reclassifying land to supply a specific type of land description.

The bill would specify the type of land description that may be given in the publication of an ordinance reclassifying land.

(2) Existing law regarding property taxation states in detail the dates on which notices are to be given.

The bill would clarify certain notice provisions.

(3) Current law requires the county board of equalization to furnish a transcript of certain equalization hearings to a party.

The bill would authorize a board to furnish tape recordings.

Ch. 769 (AB 2623) Chimbole. Schools: apportionments; continuous school program.

Beginning in the 1976-77 fiscal year, the foundation program for pupils enrolled in summer school will be reduced by 20%.

This bill would provide that the reduction would not be made for the average daily attendance of pupils who attend school pursuant to a continuous school program, provided that certain specified conditions are met.

This bill would take effect immediately as an urgency statute.

Ch. 770 (AB 2968) Bane. Insurance: group life policies; dependents

The existing law permits insurance under specified group life insurance policies to be extended, if 75% of the insured employees elect, to insure the dependents of each insured employee who so elects, in specified amounts. "Dependent," for such purposes, includes the member's spouse and all unmarried children from birth through 20 years of age, or through age 22, if the dependent child is attending an educational institution.

This bill would, in addition, include as a dependent, for purposes of such policies, a child 21 years of age or over who is both incapable of self-sustaining employment by reason of mental retardation or physical handicap, and chiefly dependent upon the employee for support and maintenance, provided specified proof of such incapacity and dependency is furnished to the insurer.

The existing law requires that under specified group life insurance policies where the number of employees insured on the effective date of the policy is less than 25, the maximum amount of insurance on any one life shall not exceed two and a half times the minimum amount of insurance on any one life, with specified exceptions.

This bill would repeal such requirement.

Ch. 771 (AB 3382) Hart. State lands: draining of oil and gas.

Under existing law, except for lands underlying the Pacific Ocean or its bays and harbors, the State Lands Commission is authorized to negotiate with the owners or operators of wells drilled upon private lands for payment of compensation to the state or to negotiate and enter into leases for development of the state lands through drilling from adjoining lands only when it appears that such wells are draining or may drain oil and gas from lands owned by the state or whenever it would be impractical, for certain reasons, to lease the state lands for extraction.

This bill would remove the exception for lands underlying the Pacific Ocean or its bays and harbors and would extend such authority to negotiate with respect to compensation for drainage by wells on public lands, in addition to private lands. Further, with respect to the authority to enter into leases for development, through drilling from adjoining lands, of state lands that are impractical to lease, the bill would create an exception for certain state tide and submerged lands which under existing law may not be leased by the state for the production of oil and gas.

Ch. 772 (AB 3485) Gararnendi. Livestock: liens.

Under existing law, there is no lien specifically for a person who sells or delivers livestock to a meatpacker, to secure the purchase prices of the livestock sold or delivered.

This bill would:

- (1) Define "livestock" and "meatpacker" for purposes of the bill.
- (2) Grant, with certain exceptions, any person who sells or furnishes livestock to a meatpacker, a lien, not dependent on possession, on the livestock and the identifiable proceeds and products thereof for the unpaid part of the purchase price, or the unpaid value of the livestock at the time of the transfer of possession of the livestock if no purchase price has been agreed upon.
- (3) Specify that such lien commences on the date of transfer of possession of the livestock to the meatpacker and shall have priority over all other liens on, and any other security interest in, the livestock and the identifiable proceeds and products thereof, without regard to the time of attachment or perfection of such other liens or security interests. However, a buyer in the ordinary course of business, as defined, who purchases the livestock to which such a lien is attached would take free of such lien even though such buyer knows of the existence of such lien.
- (4) Provide for the filing of a statement, as specified, with the Secretary of State and the Director of Food and Agriculture detailing, among other things, the lien and the amount claimed
- (5) Prescribe contents of the statement and fees therefor.
- (6) Provide that the rights or remedies granted pursuant to the bill to such person who sells livestock are in addition to any other right or remedies provided by law for such person.

Ch. 773 (AB 3502) Craven. Air pollution: emergency variances.

Under existing law, the hearing board of an air pollution control district, except in the case of an emergency as determined by the hearing board, is required to hold a public hearing with specified notice in granting a variance.

This bill would authorize the chairman of the hearing board of the San Diego County Air Pollution Control District, or a member of that hearing board designated thereby, to issue, without notice and hearing, an emergency variance to an applicant. The emergency variance would be in effect until the hearing to consider an application by the applicant for a variance other than an emergency variance, but not to exceed 30 days.

The bill would make other related changes.

The bill would specify that there is no reimbursement nor appropriation made for local costs because of a specified reason.

Ch. 774 (AB 3515) Gualco. Mortgages: itemized annual accountings.

Under existing law, every mortgagee or real property beneficiary under a deed of trust on real property, or vendor of a real property sale contract is required, upon written request of the mortgagor, trustor, or vendee, to furnish to such mortgagor, trustor, or vendee for each calendar year within 60 days after the end of such year an itemized accounting of moneys received for interest and principal repayment and received and held in or disbursed from an impound or trust account, if any, for purposes relating to the property subject to the mortgage, deed of trust, or real property sale contract.

This bill would add a requirement that, in specified circumstances, every mortgagee of record, beneficiary under deed of trust or vendor on a real property sale contract on real property containing a one- to four-family residence shall each calendar year furnish to the mortgagor, trustor, or vendee within 60 days after the end of such year a statement giving an accounting of moneys received for, and credited to interest and principal repayment, late charges, and moneys received and held in or disbursed from an impound or trust account as defined by subdivision (a) of Section 2954 [of the Civil Code] *, if any, for payment of taxes on property, insurance premiums, bond assessments, or other purposes relating to the property subject to the mortgage, deed of trust, or real property sale contract and interest credited to the account, if any. The mortgagor, trustor, or vendee would be entitled to receive one such accounting statement for each calendar year without charge and without request. The mortgagee, beneficiary, or vendor would

be required to give a notification in the statement that the mortgagor, trustor, or vendee would be entitled to additional similar accountings for one or more months upon written request and on payment in advance of specified fees.

This bill would become operative on December 31, 1978, and would apply to moneys received by a mortgagee on and after January 1, 1978.

Ch. 775 (AB 3523) Knox. Vehicles: used for teaching safe driving: equipped with platform or other device.

Under existing law, any motor vehicle used for the purpose of taking photographs, motion pictures, or television pictures, may be equipped with a dismountable platform or other device extending forward of either the fenders or cab structure or radiator, whichever extends farthest toward the front of such vehicle, for a distance not exceeding 5 feet when the vehicle is in use for such purpose.

This bill would make such provisions also applicable with respect to any motor vehicle used for the purpose of teaching safe driving. The bill would also provide that any device attached to a motor vehicle for the sole purpose of teaching safe driving must be approved by the Department of the California Highway Patrol and the Department of Motor Vehicles.

Ch. 776 (AB 3693) Siegler. Property taxes: public school exemption; use fuel taxes.

(1) Existing provisions of the California Constitution exempt property used exclusively for public schools from property taxation. Case law has established that the exemption also applies to property used exclusively for the public schools which is not owned by such schools.

This bill would specify that off-campus facilities owned or leased by an apprenticeship program sponsor and used exclusively by the public schools for certain classes for apprentices or trainees which are conducted by public schools shall be within such property tax exemption.

(2) Existing law requires the issuance of a vendor use fuel tax permit for the furnishing of fuel.

This bill would permit the Board of Equalization to issue written authorization to a political subdivision of the state which holds a valid user use fuel tax permit to furnish fuel as an accommodation to another political subdivision of the state which holds a valid user use fuel tax permit if the political subdivisions agree to keep records and reports necessary to ensure that all applicable taxes will be paid.

Ch. 777 (AB 3696) Vasconcellos. Education.

Existing law details an educational system for the State of California.

This bill would specify that each child is a unique person, with unique needs, and that the purpose of such educational system is to enable each child to develop all of his or her own potential.

Ch. 778 (AB 3712) Perino. Alcoholic beverages

Under existing law, certain licenses for premises used for the sale of alcoholic beverages within prescribed areas near certain public institutions may be transferred once only to premises located nearer by not more than 200 feet to the boundaries of the institution as they existed on the date of the transfer.

This bill would permit such transfers to be made to premises located nearer by not more than 300 feet to the boundaries of the institution as they existed on the date of the transfer.

Ch. 779 (AB 3730) Lockyer. Labor: farm labor contractors.

The existing law contains no provision requiring every farm labor contractor, upon request of an agricultural grower with whom he has a contract, to immediately furnish a payroll list, containing specified items, of all employees working for the grower.

This bill would require the furnishing of such lists.

Ch. 780 (AB 3791) Vasconcellos. Community colleges: tuition fund

Under current law, a tax is levied and collected in counties having territory not included in a community college district and the proceeds of the tax are deposited in the community college tuition fund for payment to the community college district in which the residents of such territory are in attendance.

This bill would require that such funds be used to reduce the tax rate of the county for the fiscal year subsequent to the fiscal year in which the territory is made part of a district or districts.

Ch. 781 (AB 3792) Vasconcellos. Schools: funds: investment.

Under current law, funds in a special reserve fund of a school district or community college district or surplus money not required for the immediate necessities of the district may be invested in certain financial obligations and instruments.

This bill would also permit the investment of such a fund in bank time certificates and savings and loan deposits.

Ch. 782 (AB 3829) Deddeh. Insurance: liability insurance.

Existing law prohibits, with certain exceptions, an insurance company from canceling or refusing to renew a motor vehicle liability insurance policy covering the drivers employed by a commercial business establishment or executing an agreement of non-coverage as to designated drivers, on the basis of the driving record of any of the drivers while operating vehicles other than those they were hired to drive.

This bill would instead prohibit such an insurance company from canceling or refusing to renew such a policy or execute such an agreement, on the basis of the driving record of any of the drivers while operating private passenger vehicles not owned or leased by their employer.

Existing law prohibits, with specified exceptions, an insurer from increasing the premium on a private passenger automobile insurance policy because the insured or applicant for insurance has been arrested, cited, or convicted for traffic violations committed while operating a motor vehicle for compensation during the hours of his employment, if the employer submits a declaration to the insurer that the applicant or insured was so operating a motor vehicle for compensation at such time.

This bill would instead prohibit, with specified exceptions, an insurer from increasing such premium because the insured or applicant for insurance has been convicted of such a traffic violation, if the employee submits such a declaration to the insurer.

Ch. 783 (AB 4044) Mori. Community colleges: capital construction.

In connection with the Community College Construction Act of 1967, which provides for the allocation of proceeds of a state bond act to community college districts for capital construction, the law currently requires each community college district to submit to the Chancellor of the California Community Colleges for evaluation, a 5-year plan of capital construction needs. Changes in the plan are required to be submitted to the chancellor, reviewed by him, transmitted to the Department of Finance for approval, and finally acted upon by the chancellor on or before various specified dates in each year following the establishment of the plan.

This bill would revise such dates.

This bill would make various related technical changes.

Ch. 784 (AB 4101) Chappie. Colfax Elementary School District.

Current law establishes a procedure under which a school district may request an emergency apportionment during a fiscal year subject to compliance with prescribed requirements and a specific appropriation for such purpose by the Legislature.

This bill would appropriate \$55,000, or so much thereof as may be necessary, for an apportionment to the Colfax Elementary School District during the 1976-77 fiscal year subject to compliance with such procedures and repayment over a 3-year period with interest, as specified.

This bill would go into immediate effect as an urgency statute.

Ch. 785 (AB 4174) Torres. Long-term health care facilities: inspection and citations.

Under existing law, the Director of Health is required to issue citations for long-term health care facility violations relating to operation or maintenance of the facility, other than minimal violations, within one day after the date of inspection of the facility.

This bill would require the director to issue citations for such violations within three days, excluding Saturday, Sunday, and holidays, rather than within one day.

Ch. 786 (SB 1428) Behr. Hospital district contracts: competitive bidding.

Existing law requires local hospital districts contracts exceeding \$3,500 to be let by competitive bidding, except for (1) change orders totaling not more than 5 percent of a contract let under competitive bidding, (2) medical or surgical equipment or supplies, and (3) professional services.

This bill would change the \$3,500 limitation on such contracts to a \$5,000 limitation.

This bill would also revise the change order exception to specify that each individual change order which does not exceed 5 percent of a contract let under competitive bidding can be let without competitive bidding.

Ch. 787 (SB 1574) Smith. California Conservation Corps: director.

SB 1575 of the 1975-76 Regular Session proposes the establishment, in the Resources Agency, of the California Conservation Corps under the direction of the Secretary of the Resources Agency.

This bill would require the Governor to appoint a director, subject to confirmation by the Senate, who would serve as the corps' administrative officer, and to appoint a deputy director. The director and deputy director would be exempt from civil service. The director would be required to employ staff pursuant to the State Civil Service Act.

This bill would not become operative unless SB 1575 is enacted and in such case would become operative on January 1, 1977.

Ch. 788 (SB 1594) Rains. Port districts: bidding procedures.

Existing law requires the board of port commissioners of a port district to let, under competitive bidding, contracts for work or supplies costing more than \$3,000 and requires that all bids be publicly opened and declared.

This bill would specify, instead, that all bids be publicly opened and declared under procedures established by the board.

This bill would provide that there shall be no reimbursement nor any appropriation made by the bill for costs incurred by local governmental entities pursuant to the bill, for a specified reason.

Ch. 789 (SB 1616) Petris. Service of summons.

Under existing law a summons may be served by personal delivery of a copy of the summons and of the complaint to the person served, and such service is deemed complete at the time of such delivery. There is no requirement that the date of personal service appear on the face of the summons at the time it is delivered.

This bill would require that the date of delivery appear on the summons, however, service without such date would still be valid and effective.

Ch. 790 (SB 1671) Berryhill. Growers Grape Inspection Advisory Committee

The present law provides for the establishment of a Grape Inspection Advisory Committee, consisting of eight wine producers, to advise the Director of Food and Agriculture on all matters pertaining to the designated provisions regulating grapes for byproducts and to make recommendations concerning the inspection and certification services rendered, including the annual budget and fees necessary to provide adequate inspection and certification services.

This bill would, in addition, provide for the establishment of a Growers Grape Inspection Advisory Committee, consisting of eight wine grape growers and one public member who has no direct economic interest in the growing or processing of grapes. It would require the director to appoint the members of the committee for designated terms of office. The bill would require such committee to be advisory to the director on all matters pertaining to the designated provisions regulating grapes for byproducts and to make recommendations concerning the inspection and certification services rendered.

Ch. 791 (SB 1698) Smith. Educational evaluations.

Existing law contains various provisions requiring the evaluation of, and report to the Legislature concerning, various educational programs by the Department of Education or the Superintendent of Public Instruction, including California Indian education centers, tests administered to educationally handicapped pupils and regular pupils, basic reading programs, and alternative schools.

This bill would recast such provisions, specifying a unified procedure for such evalua-

tions and report to the Legislature by the Department of Education. Such reports would be required to be of a descriptive character, as designated, an individual program evaluation, as designated, or a multiple-funded program evaluation, as designated.

Ch. 792 (SB 1770) Gregorio. Birth registration: time and manner.

(1) Existing law requires that each live birth be registered with the local registrar of birth and deaths, as specified, within 4 days of birth.

The bill would, instead, require such birth registration within 10 days of birth.

(2) Under existing law, for live births occurring in a hospital, the attending physician to the birth is responsible for registering the certificate of live birth for such birth with such registrar.

This bill would remove such responsibility from the attending physician and make the administrator of the hospital or representative designated by him in writing responsible for such registration. Further, the bill would specifically make such administrator or his designated representative responsible for registering the certificate of live birth within 10 days of birth.

(3) The bill would also provide there shall be no reimbursement nor appropriation for costs incurred by local agencies pursuant to the bill for a specified reason.

Ch. 793 (SB 1809) Nejedly. Gas storage well assessment.

Existing law imposes an annual charge, which is computed at a uniform rate per 1,000 cubic feet of gas, upon the person operating each gas well in the state, or owning a royalty interest therein, based on the amount of gas produced in the preceding calendar year, other than gas which is used for recycling or gas production or which has been injected and withdrawn from underground storage.

This bill would delete the exclusion from such charge for gas held in storage and would instead impose an annual charge computed at a uniform rate on the gross gas withdrawn from an underground storage facility during the preceding calendar year. Such charge would be limited to the actual costs incurred by the state in discharging its responsibilities pursuant to the provisions of the bill.

This bill would also include in the definition of "well" any well used to inject or withdraw gas from an underground storage facility and would make other technical, nonsubstantive changes.

Ch. 794 (SB 1827) Nejedly. Oil, gas, and geothermal wells: indemnity bonds.

(1) Existing law requires every person engaged in the drilling, redrilling, or deepening, of oil or gas wells, or in any operation involving plugging or permanently altering in any manner the well casing; every person engaged in the drilling, redrilling, deepening, maintaining or abandoning of geothermal wells; and any person who acquires the ownership or operation of geothermal wells to file with the State Oil and Gas Supervisor an indemnity bond. For a single well the amount of the bond is required to be \$5,000; and for operations involving one or more wells at any time, \$25,000.

This bill would increase the amounts required for such bonds to, respectively, \$25,000 and \$250,000; identify such bonds as, respectively, individual and blanket indemnity bonds; and make various conforming changes.

(2) Existing law makes such requirement applicable to plugging the casing of any oil or gas well.

This bill would delete such requirement.

(3) Existing law requires any person acquiring the ownership or operation of a geothermal well to file an indemnity bond in the appropriate amount with the supervisor within 5 days after such acquisition.

This bill would extend this period to 30 days.

The bill would also make various technical, nonsubstantive changes.

Ch. 795 (SB 1829) Nejedly. Oil and gas well testing.

(1) Existing law requires all oil and gas wells to be cased with adequate metal casing to prevent water from entering oil- and gas-bearing strata and to shut out detrimental substances from underground and surface water suitable for irrigation and domestic purposes.

This bill would remove the requirement that such casing be metal.

(2) Under existing law, when it appears to the State Oil and Gas Supervisor that water from a well is penetrating oil- or gas-bearing strata or that detrimental substances are infiltrating underground or surface water, the supervisor is authorized to order a shutoff test and the owner or operator is required to hold such a test. If any well penetrates or is above an oil or gas zone, the owner or operator, on adequate notice to the district deputy supervisor, must demonstrate the shutoff of water in the well; the deputy or an inspector is required to be present and is required to make a report of the test; and, if the test is unsatisfactory to the supervisor, additional tests may be ordered as the supervisor deems necessary.

This bill would delete the requirements that wells be tested when it appears to the supervisor that water is penetrating oil or gas strata or that detrimental substances are infiltrating water strata and that wells in oil and gas zones be tested for shutoff; and would instead require, with respect to any well, that the owner or operator demonstrate that water is not penetrating oil- or gas-bearing strata or that detrimental substances are not infiltrating underground or surface water suitable for irrigation or domestic purposes, on request of the supervisor. The bill also would delete the requirement that a deputy or an inspector be present at such a test. A report to the supervisor would be required only when an inspector or deputy witnesses the test at the site of the well. If the test is unsatisfactory to the supervisor, the supervisor would be authorized to order additional work, as well as additional tests, that are necessary to shut off the well.

Ch. 796 (SB 1899) Behr. Fish and game: sale of wild animals.

(1) Existing law generally prohibits the importation, possession, or release alive in California of specified wild animals, except (a) when the Fish and Game Commission designates that a permit is not necessary to possess a particular wild animal, or (b) under a permit issued by the Department of Fish and Game and the Department of Food and Agriculture after specified findings, including the finding that such wild animal is not a detriment to the public health or safety, are made, or (c) under two specified exemptions to such general prohibition, which includes an exemption for "zoos," as defined. "Zoos" are defined as organizations which exhibit animals to the general public at regular specified hours, equaling at least 30 hours a week for 36 weeks a year, and whose animals, whether maintained for exhibit purposes or not, are not for sale to private individuals.

This bill would permit an organization which otherwise comes within the definition of a "zoo" to sell any animal the zoo may possess without a permit to an exhibitor licensed by the United States Department of Agriculture or a dealer who is so licensed.

(2) Existing law does not specifically require exhibitors and dealers who buy wild animals from such "zoos" in California to sell or transfer such animals only to private individuals having such a permit prior to receipt of the animals or to a public or private organization having such a permit prior to receipt of the animals.

The bill would impose such a requirement.

(3) This bill would also provide that, for specified reasons, there shall be no reimbursement pursuant to Section 2231 of the Revenue and Taxation Code nor shall there be any appropriation made by the bill for the reimbursement of any local agency for any costs incurred by it pursuant to the bill.

Ch. 797 (SB 1929) Rains. Commercial fishing: lobster traps.

Under existing law, the regulations of the Fish and Game Commission prohibit the use of lobster traps, used pursuant to a permit issued by the commission, within 750 feet of any pier, wharf, jetty, or breakwater.

The bill would specifically permit the use of lobster traps to within 75 feet of such structures which are privately owned in areas of the state not otherwise closed to the taking of lobsters.

The bill would be operative September 1, 1977.

Ch. 798 (SB 1958) Stiern. School district bonds: limitations.

Under existing law, a school district may not issue bonds exceeding 5% of the taxable property of the district. Until July 1, 1975, however, a school district was authorized to increase the general limitation on the total amount of bonds issued from 5% to 7% by a $\frac{2}{3}$ favorable vote in the district.

This bill would revise such prior authorization to increase the general limitation on the total amount of bonds issued from 5% to 7% and would extend such authorization to July 1, 1978.

Under existing law, school districts, in order to qualify for apportionments under the State School Building Aid Law of 1952, are required to issue district bonds in prescribed amounts. The amount necessary for annual payments of principal and interest on such bonds, when compared to the assessed valuation of the district, is utilized in computing the district's annual repayment, or deferment of repayment, of the state school building aid apportionment.

This bill would exclude from such computations, that portion of the principal and interest on such district bonds as are in excess of 5% of the assessed valuation of the district.

Ch. 799 (SB 1735) Wedworth. County hospital and safety commission.

Existing law authorizes the board of supervisors of a county to appoint a hospital and safety commission consisting of either 5 or 7 members, who may receive compensation not exceeding \$10 for each meeting of the commission, to act in an advisory capacity to the board.

This bill would delete the requirement that such commission be composed of either 5 or 7 members and the prohibition against the payment of compensation to members exceeding \$10 for each meeting.

Ch. 800 (SB 1635) Rains. District attorneys and county counsels: legal services

Various provisions of existing law require county counsels and district attorneys to give written legal opinions without fee to county and district officers on matters relating to their respective offices.

This bill would require the county counsel and district attorney to perform legal services for the county without fee, would require them to render legal opinions to school districts on matters as required by law, and would allow them to charge a local public entity a fee, not to exceed the cost to the county, for rendering legal services to such public entity unless the district attorney or county counsel is required by law to render such legal services without fee.

The bill would also permit the district attorney or county counsel, with the approval of the county board of supervisors, to provide legal services to an association or nonprofit corporation contracting with the county for the operation of a county fair. The association or nonprofit corporation would pay the county for the legal services at an agreed to rate.

The bill also provides that neither appropriation is made nor reimbursement made to any local agency for any costs incurred by it pursuant to the act for a specified reason.

Ch. 801 (AB 4444) Hayden. Savings and loan associations.

Existing law authorizes a state-licensed savings and loan association to invest in, hold, buy and sell specified property, securities, obligations, and instruments, including shares or savings instruments of federal savings and loan associations.

This bill would additionally authorize such savings and loan associations to invest in the shares and investment certificates issued by any domestic savings and loan association which is an insured institution, as defined.

Ch. 802 (SB 1351) Garcia. Vehicles: offstreet parking facilities. fees.

Under existing law, it is generally unlawful for any person engaged in the operation of offstreet parking facilities in the City of Los Angeles to charge, or attempt to charge, a patron an additional fee for the use of the facilities for a period of 6 minutes or less in excess of the period for which a particular fee is charged. Existing law also generally requires that the half-hour fee be charged for the use of the facilities for a period of more than 6 minutes and less than 30 minutes in excess of the period for which a particular fee is charged. Charges are required to be for an hourly or half-hourly period and for half-hour or greater periods after the first hour or half hour. The law also presently prohibits a person engaged in such an operation from increasing or attempting to increase the fee charged a patron within the period during which the patron is using the parking facilities, unless the schedule of charges displayed at the time the patron

begins to use the facilities indicates the increased charges and the periods during which they are in effect. Additionally, the law presently requires such a parking facility operator to post the closing hour of his facilities.

This bill would repeal all such provisions and would require, instead, that the City of Los Angeles regulate offstreet parking facilities in its jurisdiction in a manner not inconsistent with specified provisions of the Vehicle Code.

The bill would also provide that, for specified reasons, neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill.

Ch. 803 (SB 1472) Rodda. Labor: farm labor contractors.

The existing law prohibits the Labor Commissioner from issuing or renewing a license to act as a farm labor contractor until such person has, among other things, paid to the Labor Commissioner a license fee of \$75.

This bill would instead prohibit the Labor Commissioner from issuing or renewing such a license until such person has, among other things, paid to the Labor Commissioner a license fee of \$100, and would require the Labor Commissioner to deposit \$25 of each such fee into a separate account for disbursement to persons damaged by a licensee in an amount exceeding the licensee's bond or time certificate.

This bill would, in addition, prohibit the Labor Commissioner from issuing or renewing such a license until such person has registered as a farm labor contractor pursuant to the Federal Farm Labor Contractor Registration Act, when required, and would permit the Labor Commissioner to revoke, suspend, or refuse to renew any license when it is shown that a court or the Secretary of Labor has found that the licensee has violated such federal act.

This bill would prohibit any person from knowingly entering into an agreement for the services of a farm labor contractor who is not licensed.

This bill would permit any employee aggrieved by a violation of the farm labor contractor law to bring a civil action for injunctive relief or damages, and upon prevailing, to recover reasonable attorney's fees against the farm labor contractor, the surety on the farm labor contractor's bond, or the time certificate.

Ch. 804 (SB 1474) Mills. Medi-Cal.

Under the current Medi-Cal program physicians' services are covered as outpatient services in the basic schedule of benefits.

This bill would require in addition to other services that the State Department of Health conduct a demonstration program to furnish in not more than three counties (1) coverage of orthomolecular medicine, as defined, under the basic schedule of benefits when provided as part of the diagnostic and treatment methods of a physician, and (2) diagnostic tests and inpatient hospital care furnished in connection therewith, and also (3) vitamins, minerals, amino acids, and glandular extracts when prescribed by a physician in the course of such treatment, subject to utilization controls. Such provision would be repealed effective July 1, 1979.

The bill would also require the director to select an evaluation committee to prepare a plan for evaluating the demonstration program, reporting procedures to be utilized by providers, and an evaluation report which the director is required to submit along with his comments to the Governor and Legislature by January 30, 1980.

Ch. 805 (SB 1475) Mills. Insurance: orthomolecular medicine.

Existing law does not specifically provide for the coverage by disability insurance policies, health care service plans, self-insured employee welfare benefit plans, and nonprofit hospital service plans of treatment pursuant to the techniques of orthomolecular medicine.

This bill would require such policies and plans to offer coverage for treatment pursuant to the techniques of orthomolecular medicine when performed by the holder of a physician's and surgeon's certificate. The bill would define orthomolecular medicine to mean the preservation of good health as well as the treatment of disease by providing the optimum molecular environment in the human body by varying the concentrations in the body of vitamins, minerals and other nutritional substances normally present in the body and required for health, and to also include human ecology medicine, which

means discharge or avoidance of substances that are toxic or allergy inducing to some patients.

This act would be repealed effective July 1, 1979.

Ch. 806 (SB 1526) Rodda. School building aid.

Existing law validates certain final apportionments of state school building aid based on conditional apportionments made prior to January 1, 1976, and validates certain final apportionments of school building aid funds re structurally inadequate school facilities based on conditional apportionments made prior to January 1, 1976, authorized by the same majority vote of qualified electors as required at a district bond election.

This bill would extend such validation to such apportionments made prior to January 1, 1977, and would make various technical changes.

This bill would also exempt from certain monetary limitations on monthly apportionments of state school building aid final apportionments to school districts which have raised from the sale of bonds amounts equal to the total cost of school building projects as a condition to any initial apportionment.

Ch. 807 (SB 1577) Marks. Abatement actions; pleadings.

Under existing law, generally speaking, the time within which a party must file a written pleading in response to a complaint is 30 days.

This bill would require a responsive pleading to be filed within 10 days in actions under the State Housing Law to prevent, restrain, correct, or abate a violation of that law or a nuisance existing in a building or upon the lot on which it is situated.

Ch. 808 (SB 1597) Rains. Forfeiture of bail.

Existing law authorizes various persons to accept bail, in specified circumstances, to issue and sign an order for the release of an arrested person, and to set the time and place for the appearance of the arrested person in the appropriate court and give notice thereof and provides that if the arrested person so released fails to appear at the time and in the court ordered upon his release, the court before which he was ordered to appear may forfeit the bail.

This bill would specifically make applicable in such bail forfeiture an express procedure of existing law for the general forfeiture of bail and enforcement and discharge of forfeiture of bail. These provisions require the forfeiture of bail if, without sufficient cause, the defendant neglects to appear on any occasion when his presence in court is lawfully required unless the court has reason to believe that sufficient cause may exist, in which instance the court may continue the case for a reasonable period without ordering a forfeiture.

Ch. 809 (SB 1619) Collier. Community colleges: out-of-state attendance: taxes.

(1) Currently, the attendance of a community college student must be recorded and reported separately under certain circumstances if the student is enrolled in a vocational program offered by a community college which is organized in a specified manner.

This bill would make such provisions applicable to cooperative vocational programs, and would make various technical changes.

(2) Under current law, a tax may be levied and collected in territory which is not part of a community college district for payment to the community college districts where residents of such nondistrict territory attend school.

This bill would provide for a similar payment on behalf of any resident of the Tulelake Basin Joint Unified School District portion of Siskiyou County or Modoc County which is not part of a community college district who is attending a two-year program in an institution in an adjoining state subject to certain conditions, and would provide for the levy and collection of a tax to make such payments.

(3) Existing law grants the homeowners' property tax exemption in the amount of \$7,000 of the full value of qualified dwellings and continuously appropriates state funds for subventions to local government to compensate for property tax revenues lost by reason of such exemption.

This bill would increase the amount of such appropriation by authorizing an increased rate of property tax.

This bill would also provide that no appropriation is made by this bill for purposes of Section 2231 of the Revenue and Taxation Code for the reimbursement of any local agency for any costs incurred by this bill.

Ch. 810 (SB 1689) Presley. Execution: exemption of bank deposits.

Existing law exempts certain individual assets from execution, including certain deposits, accounts, and interests in state or federal savings and loan associations up to a maximum aggregate value of \$1,000.

This bill would exempt, as specified, from execution the first \$500 held in accounts of financial institutions which were deposited under certain provisions of federal law authorizing direct deposits of any class of recurring federal payments upon written request of the person to whom payment is to be made where one depositor is the designated payee of the payments. This bill would similarly exempt the first \$750 where 2 or more depositors are joint payees of the payments.

The bill would require a judicial determination as to the exempt status of sums in excess of \$500 or \$750, as applicable, and specify procedures for such determination.

Ch. 811 (SB 1772) Ayala. Milk: dairy farm scorecard.

(1) The Milk and Milk Products Act of 1947 requires the Director of Food and Agriculture to adopt a dairy farm scorecard for official scoring of dairies.

The act defines grade A raw milk as market milk that conforms to various minimum requirements, including a requirement that such milk be produced on dairy farms that score not less than 80% on the dairy farm scorecard.

The bill would require for purposes of defining grade A raw milk that, instead of scoring not less than 80%, dairy farms producing such milk score not less than 85% on the dairy farm scorecard.

(2) The act further defines grade A pasteurized milk as market milk that conforms to various minimum requirements, including a requirement that such milk be produced on dairy farms that score not less than 80% on the dairy farm scorecard.

This bill would require for purposes of defining grade A pasteurized milk that, instead of scoring not less than 80%, dairy farms producing such milk score not less than 85% on the dairy farm scorecard.

Ch. 812 (SB 1826) Presley. Reciprocal enforcement of support.

The Revised Uniform Reciprocal Enforcement of Support Act of 1968 requires, where a plaintiff removes his residence from the county from which the original support order issued to another county within the state and initiates therein a support judgment enforcement action and the court clerk thereof requests from the original court all necessary documents, that the original court provide such documents.

This bill would revise such requirement to specify that all necessary documents include a copy of the support order and to require such original court to forward such documents to the clerk of the court in the new county of residence and to make the technical changes of redesignating plaintiffs and defendants as obligees and obligors, respectively.

The bill would provide that there are no state-mandated local costs in the act for a specified reason.

Ch. 813 (SB 1828) Nejedly. Oil, gas and geothermal wells.

(1) Existing law requires the owner or operator of any oil or gas well and any geothermal well to give notice to the State Oil and Gas Supervisor of any sale or other transfer by the owner or operator relating to such wells within five days of such transfer, and requires the person acquiring ownership or operation of such well, or the land on which it is located, to give notice to the State Oil and Gas Supervisor within five days of acquiring the same.

This bill would require such notices to be given within 30 days.

(2) Existing law requires the owner of a producing oil, gas or geothermal well, or a well capable of producing oil or gas, to file a production report. Such reports for oil and gas wells are required to be filed with the district deputy on or before the 10th day of the month for each prior month. For geothermal wells, the reports are required to be filed with the State Oil and Gas Supervisor on or before the 10th day of the month for each prior month.

This bill would require such reports to be filed on or before the 30th day of the month for each prior month.

(3) Existing law requires the State Oil and Gas Supervisor to investigate oil and gas

wells, report and order work required to repair damage complained of, or order no work, upon his receipt, or upon receipt by a district deputy of, a specific written complaint from a person owning land or operating wells within one mile of the well or wells of which the complaint is concerned. The State Oil and Gas Supervisor is also required to investigate a well against which a district deputy signs a specific complaint.

This bill would delete the requirements for investigation, report and work orders on complaints received by, or signed by a district deputy and the requirements that such complaint specifically set forth the condition complained against. The bill also authorizes such investigation, report and work order upon the initiative of the State Oil and Gas Supervisor.

Ch. 814 (SB 1847) Song. Shorthand reporters.

Existing law provides that a shorthand reporter's certificate may be suspended or revoked for conviction of a felony or misdemeanor involving moral turpitude, fraud or misrepresentation resorted to in obtaining a certificate or fraud, dishonesty, corruption, willful violation of duty, gross incompetency in practice, and unprofessional conduct.

This bill would add as a cause for such suspension or revocation the repeated unexcused failure to transcribe notes of cases pending appeal and to file the transcripts thereof within the time required by law or to transcribe or file notes of other proceedings within the time required by law or agreed by contract.

Ch. 815 (SB 1875) Nejedly. Tide and submerged lands: regnant.

Existing provisions of law grant in trust to the City of Martinez, for specified uses and purposes and subject to express conditions, certain described tide and submerged lands, both filled and unfilled, that are in or adjacent to the Straits of Carquinez in the County of Contra Costa.

This bill would repeal such provisions making such grant to the city and, instead, grant in trust to the East Bay Regional Park District certain described tide and submerged lands, both filled and unfilled, that are in or adjacent to the Straits of Carquinez in the County of Contra Costa, except for certain other such described lands, which would be granted to the city for specified uses. Such grant, among other things, would require that such lands be used in conformity with the Martinez Waterfront Land Use Plan and be improved in accordance with the plan on or before January 1, 1982, or title therein shall revert to the state. The bill would impose various requirements regarding public rights in the granted lands, leasing of lands by the district, management and disposition of revenues from the lands, and enforcement of provisions of the bill.

This bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by the bill for a specified reason.

Ch. 816 (SB 1936) Stull. Schools: instructional material funding.

Existing law through the 1976-77 fiscal year provides certain funding per pupil in average daily attendance in the public and nonpublic elementary schools during the preceding fiscal year for instructional materials.

This bill extends indefinitely such funding beyond the 1976-77 fiscal year.

This bill would also extend indefinitely the operation of various technical provisions relating to the state funding of elementary textbooks, including a continuing appropriation, which presently will expire on June 30, 1977.

Ch. 817 (SB 1972) Dills. Instructional materials: schools, library funds

(1) Existing law permits county libraries to purchase instructional materials with the library's own funds, including instructional material from lists adopted by the State Board of Education at prices which include a publisher's discount to the State of California.

This bill would make the existing provision applicable to all public libraries, rather than county libraries.

(2) Under current law, the State Board of Education is required to biennially adopt a list of textbooks and instructional materials for use in elementary school grades.

This bill would extend the use of any such list by a school district to four years after the initial use date and would make numerous related technical changes regarding the duties and responsibilities of the state board and school districts with respect to such lists.

This bill would also require publishers and manufacturers to submit certain specified information regarding instructional materials to the state board, rather than the Curriculum Development and Supplemental Materials Commission.

Ch. 818 (SB 2020) Schrade. Public retirement boards: per diem.

Existing State Teachers' Retirement Law does not provide compensation for members of the Teachers' Retirement Board.

This bill would require the members of the Teachers' Retirement Board who are not members of the system and who are appointed by the Governor, to receive \$50 for every day of actual attendance at board meetings and board committee meetings.

Existing Public Employees' Retirement Law requires members of the board of administration who are appointed by the Governor to receive \$50 for every day of actual attendance at board meetings and board committee meetings.

This bill would, in addition, require retired persons who are elected under the supervision of, and who serve on, the board, to also receive such allowance.

Ch. 819 (SB 2151) Deukmejian. Pleas.

Existing law requires pleas to be put in, but not withdrawn, by the defendant himself in open court.

This bill would require that pleas be entered or withdrawn by the defendant himself in open court.

Ch. 820 (SB 2178) Holmdahl. Municipal utility districts.

(1) Existing law permits the general manager of a municipal utility district to establish a probationary period of 12 months for professional, scientific, administrative, management, or executive positions within the district's civil service.

This bill would also permit the general manager of a municipal utility district to establish a probationary period of 12 months for supervisors and operators of municipal waste water treatment plants.

(2) Existing law generally authorizes a local agency, which is defined to include a municipal utility district, to establish deferred compensation plans, requires participation to be by written agreement between the district and its officers and employees, authorizes participation in both a deferred compensation plan and the district's retirement system, and includes amounts withheld for participation in a deferred compensation plan within the amount of compensation of such participant for purposes of computing the amount of his contributions or benefits under the district's retirement system.

This bill would specifically authorize a municipal utility district to adopt such a deferred compensation plan and related provisions.

Ch. 821 (SB 2206) Ayala. Public social services.

Under current law when federal law on September 30, 1976, ceases to provide for a disregard under the aid to families with dependent children program of a certain portion of child support payment to recipients, the state would continue to provide for a portion of such "disregard" after such date.

This bill would continue such disregard to the extent that there is federal financial participation at a level of no less than 50 percent of the cost and provide that such payment is not income or resources to the recipient and shall not be deducted from the aid grant.

The bill would further provide that neither an appropriation is made nor an obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the act.

This bill is an urgency statute to take effect immediately.

Ch. 822 (AB 2645) Mori. Copy reproduction fees.

The existing California Public Records Act specifies that the fee for a copy of a public record shall not exceed 10 cents per page, or the prescribed statutory fee, where applicable.

This bill would provide that the fee for a copy of a public record shall not exceed the actual cost of providing the copy, or the prescribed statutory fee, if any, whichever is less.

Existing law specifies the fees a county clerk must charge for making a first copy and an additional copy or copies of any record, proceeding, or paper on file in his office.

This bill would give a county clerk discretion to charge a reasonable fee for making a first copy and an additional copy or copies of such records, proceedings, or papers.

The bill also provides that neither appropriation is made nor obligation created for reimbursement of any local agency for any costs incurred by it pursuant to the act.

Ch. 823 (AB 2722) Davis. Tennant Community Services District: disaster relief funds.

Existing law provides for state matching funds for financial assistance to local agencies to repair damages incurred as a result of natural disasters upon application. Existing law also requires contracts for such repairs to be secured by payment bonds.

This bill would appropriate \$35,395 from the Public Facilities Account of the Natural Disaster Assistance Fund to the Tennant Community Services District in Siskiyou County to pay the state portion of the repair costs resulting from the storms and floods of November, 1973, which was dishonored solely because the contractor and the district failed to provide a payment bond for public works in accordance with the law.

The bill would take effect immediately as an urgency statute.

Ch. 824 (AB 2746) Murphy. Emergency medical treatment.

Existing law exempts any person licensed pursuant to the Medical Practice Act, who in good faith renders emergency care at the scene of the emergency, from liability for any civil damages as a result of any acts or omissions by such person in rendering the emergency care.

This bill would provide that "the scene of the emergency," as used in such provision, includes the emergency rooms of hospitals in the event of medical disasters, as defined.

Ch. 825 (AB 2803) Rosenthal. Population Research Unit.

Under existing law, there is the Population Research Unit within the Department of Finance whose functions are to develop and provide to government and the private sector demographic data in aid of state and local planning.

This bill would add legislative findings and declarations concerning population size, data, and study to the existing law. This bill would also require the Population Research Unit to perform new duties, including the evaluation of population growth, cooperation with the Office of Planning and Research, and the application for federal and private funds for demographic studies.

The bill would delete an obsolete provision.

Ch. 826 (AB 3010) Papan. Public transportation: transit districts: passenger rail subsidy.

Under existing law, only the San Mateo County Transit District is authorized to make payments of funds allocated under the Mills-Alquist-Deddeh Act to a railroad corporation engaged in the transportation of persons for operating losses incurred in such transportation of persons between points within the district.

This bill would authorize any transit district to make payment with funds allocated under that act to such a railroad corporation for operating losses incurred in transporting persons between points within the district, and also for that portion of the operating losses incurred in transporting persons in the district whose origin or destination, or both, are outside the district.

The bill would take effect immediately as an urgency statute.

Ch. 827 (AB 3340) Craven. State Teachers' Retirement System: benefit accrual dates.

The existing State Teachers' Retirement Law prescribes the dates on which retirement, disability, family, and option allowances accrue.

This bill would revise such accrual dates.

Ch. 828 (AB 3389) Chimbole. Property taxation.

(1) Under existing law, with respect to property taxes in some counties which may be paid in two installments, the second installment may be paid separately only if the first installment has been paid; and payment of the first installment may not be accepted

after the second installment has become delinquent unless accompanied by payment of the second installment.

Other counties permit the first installment to be paid separately when the first installment is due or anytime thereafter until property on the current roll is sold to the state, and the second installment to be paid separately only if the first installment has been paid.

This bill would extend to taxpayers of all counties the right to pay the first installment of property taxes when due or at any time thereafter.

(2) Under existing law, a fee not exceeding \$3 may be charged for each seizure and sale of property foreclosed for taxes.

This bill would increase the maximum fee to \$15 for each seizure of such property.

(3) Under existing law the tax collector, with the approval of the board of supervisors, is required to first offer unusable parcels which are tax-deeded to the state to the highest bidder among those having an interest therein or to those having contiguous parcels.

This bill would permit, instead of require, the tax collector, with approval of the board of supervisors, to first offer unusable parcels which are tax-deeded to the state at a minimum bid to the owners of contiguous parcels.

Existing law provides for monthly redemption penalties.

This bill would specify that if the last day of a month falls on a Saturday, Sunday, or legal holiday, the penalty attaches after 5 p.m. on the next business day.

Ch. 829 (AB 3548) Burke. High schools: minimum schoolday.

For purposes of compulsory school attendance requirements and for purposes of state financial support, the minimum schoolday for high schools is 240 minutes per day and for regional occupational programs the minimum schoolday is 180 minutes per day.

This bill would reduce the minimum schoolday in a high school which maintains an 8-hour schoolday to 200 minutes in the case of a pupil who, on the effective date of this bill, is enrolled in the high school and who is also enrolled in a regional occupational program for 180 minutes per day.

This bill would be applicable only to the Huntington Beach Union High School District and would be effective only until June 30, 1979.

This bill would take effect immediately as an urgency statute.

Ch. 830 (AB 3550) Burke. Public Employees' Retirement System.

Existing law permits local members of the Public Employees' Retirement System, other than school members, to receive credit as "public service" for any continuous active military or merchant marine service upon payment of employer and employee contributions and interest.

This bill would specify that such members may elect to receive this service credit only while employed by an employer which has elected to be subject to such provisions, that such credit would be limited to time served in the military prior to employment, and require the member to contribute an amount equal to the contribution for current and prior service that the employee and his employer would have made with respect to him during the period of service. The bill would also provide that the employer's rate of contribution paid by the member would be based upon the rate at the time of election and the member's compensation at the beginning of his first subsequent period of service in membership with that employer.

Ch. 831 (AB 3710) Perino. County superintendents of schools: property tax rates.

Under present law, comprehensive provision is made concerning the levy and collection of property taxes for the support of the operations of the county superintendent of schools, with reference to the various purposes for which such tax revenues may be required. It is specified that for capital outlay purposes the rate levied shall not exceed 5 cents per \$100 of assessed valuation.

It is further particularly provided that taxes levied for technical, agricultural, and natural resource conservation schools, for development centers for the handicapped, and for regional occupational centers and programs, shall be at a rate necessary to fund proposed authorized expenditures, exclusive of capital outlay.

This bill would provide that nothing in the provision in question shall be construed to prohibit federal or state aid for regional occupational centers or programs from being expended for capital outlay purposes.

Ch. 832 (AB 3731) Lockyer. Labor: information for employees.

The existing law requires every employer to semimonthly or at the time of payment of wages to furnish each employee a detachable stub or itemized statement showing specified items.

This bill would revise the items required to be shown on such a detachable stub or itemized statement, and would permit any employee suffering injury due to an employer's knowing and intentional failure to comply with such provisions to recover specified damages.

Ch. 833 (AB 3999) Meade. Crimes.

Existing law does not prohibit the Department of Corrections from conditioning any form of treatment or custody upon an admission of guilt.

This bill would make such a prohibition. This bill would also prohibit the Adult Authority, the California Women's Board of Terms and Parole, and county parole boards from requiring admissions of guilt when setting terms or discharge dates.

Ch. 834 (AB 4026) Goggin. State lands: oil, gas leases.

Under existing law, the State Lands Commission may utilize any of several procedures for receiving royalties in leasing state lands, including tide and submerged lands, for the extraction and removal of oil and gas deposits, but such royalties are subject to an allowance for oil treatment and dehydration of not to exceed 5 cents per barrel for royalty oil.

This bill would delete such allowance for oil treatment and dehydration, and, except in the case of a specified alternative procedure for receiving royalties, would prohibit making any allowance for the cost of oil treatment, dehydration, or transportation of royalty oil on leases let subsequent to January 1, 1977.

Ch. 835 (AB 4032) Kapiloff. Public utilities: rate increases.

Existing law provides that no public utility shall raise any rate or so alter any classification, contract, practice, or rule as to result in any increase in any rate except upon a showing before the Public Utilities Commission and a finding by the commission that such increase is justified.

This bill would add to such provision a proviso that, upon a showing by a public utility before the Public Utilities Commission at a public hearing and a finding by the commission that it has invested in projects designed to generate or produce energy from renewable sources, including, but not limited to, solar energy, geothermal energy, wind sources, hydroelectric energy under specified circumstances, or that it has invested in other systems capable of meeting the then applicable environmental pollution standards, in either case the capital costs of which when added to the operating and maintenance costs shall result in a lower cost per unit of energy generated or produced over the systems' life than existing systems utilizing atomic energy, fossil fuels or natural gas, which projects or systems are capable of and, in fact, are, generating energy for commercial purposes, the Public Utilities Commission may allow a return on such investment that is one-half to one percent higher than the return allowed established by adding an increment of from one-half to one percent to the rate of return permitted on the utility's other investment. The bill would also provide that the commission may, in its discretion, allow such higher rate of return on capital investments by a public utility in experimental projects which it determines after public hearing to be reasonably designed to improve or perfect technology to generate energy from renewable resources, or to more efficiently utilize other resources for the generation of energy in a manner which will decrease the environmental pollution per unit of energy generated or produced.

Ch. 836 (AB 4057) Suitt. Ice cream plant licenses.

(1) Under existing law, there are licensing fees that are required to be paid by every person, except a hospital or sanitarium, for engaging in, as specified, the business of dealing in, or manufacturing of, ice cream, ice milk, sherbet, imitation ice cream, imitation ice milk, or any similar frozen product.

The bill would remove the exception for a hospital or sanitarium from such licensing fees.

(2) The law presently makes no provision for a license fee for a semifrozen (soft-

serve) milk products plant different from the fee for any other ice cream or other frozen milk products plant

This bill would provide a separate license fee of \$75 annually for such plants

(3) Existing law, as provided in Chapter 240 of the Statutes of 1976, provides for a separate license fee of \$75 annually for a semifrozen (soft-serve) milk products plant for manufacture of frozen yogurt dessert or low-fat frozen yogurt dessert

This bill would repeal such separate license provision for a semifrozen (soft-serve) milk products plant for manufacture of frozen yogurt dessert or low-fat yogurt dessert, making such plant subject to the general provisions for semifrozen (soft-serve) milk products plants

Ch. 837 (AB 4079) Torres. Unfair competition.

Existing law specifies that "unfair competition" for purposes of specified provisions of law includes any act made unlawful by the Unfair Practices Act and specifies that the right of a district attorney to prosecute an action for a violation of the Unfair Practices Act is limited to a criminal prosecution of the violator

This bill would delete those specific provisions

Ch. 838 (AB 4091) Davis Appropriation. emergency medical care delivery.

Under existing law, \$473,579 was appropriated in the Budget Act of 1973 for support of a pilot project establishing an emergency medical care delivery system in 7 counties. Such appropriation was originally to be available for expenditure until June 30, 1976, without regard to fiscal year, except that no more than \$200,000 was to be made available for expenditure in any single fiscal year. The Budget Act of 1976 (Chapter 320, Statutes of 1976), however, makes such appropriation available for expenditure until June 30, 1977

Such pilot project is to terminate on September 30, 1976. In addition, existing law requires quarterly reports to be made to the State Department of Health by the Northern California Emergency Medical Care Council regarding the project's progress and the council and the department are required to submit annual reports to the Legislature.

This bill would extend the termination date of the project to June 30, 1978, would extend the expiration date for the appropriation to June 30, 1978, would also eliminate the \$200,000 limitation, and would expand the counties participating to nine, as specified. The bill would continue the requirement for quarterly reports by the council to June 30, 1977, and would also require annual reports to the Legislature by the department and the council.

This bill also makes related technical changes.

The bill would take effect immediately as an urgency statute.

Ch. 839 (AB 4092) Maddy. Mechanics' liens. preliminary notice.

Existing law requires, as a condition to enforcing a mechanic's lien, that a claimant give a preliminary 20-day notice that a mechanic's lien may be claimed in respect to a private work of improvement. The law specifies that the original contractor shall make a copy of the written contract entered into between a property owner and the original contractor available for inspection by any person seeking to serve such preliminary 20-day notice.

This bill would delete the requirement that the contract be made available for inspection and would require, instead, the original contractor to make available the name and address of residence of the owner to any person seeking to serve such preliminary 20-day notice.

Existing law grants to every person who, while lawfully in possession of an article of personal property, renders any service to the owner thereof, by labor or skill, employed for the protection, improvement, safekeeping, or carriage thereof, a special lien on such personal property, dependent on possession, for the compensation, if any, which is due to him from the owner for such service. Existing law also grants to a person who makes, alters, or repairs any article of personal property, at the request of the owner or legal possessor of the property, a lien in such property for his reasonable charges for the balance due for such work done and materials furnished, and permits retention of possession of the property until such charges are paid. Existing law enumerates specific categories of proprietors and businesses who are entitled to such liens

This bill would add plastic fabricators to those specific categories of proprietors and businesses enumerated as entitled to a possessory lien.

The bill also would incorporate the changes made by Senate Bill No. 1379, enacted as Chapter 396 of the Statutes of 1976.

Ch. 840 (AB 4114) Bannai Retirement systems disclosure law.

Existing law requires retirement systems to make certain periodic disclosures and reports to participants and beneficiaries of such systems

This bill would repeal the above.

Ch. 841 (AB 4119) Suitt. Crippled children's services. Medi-Cal services emergency cases.

(1) Under existing law, the State Department of Benefit Payments may use state funds to pay for emergency cases under the crippled children services programs incurred from counties with a total state and county fund budget of less than \$150,000 for crippled children's services when the county makes required minimum expenditures of county funds.

This bill would increase the total state and county fund budget maximum for eligibility for such emergency case payments to \$250,000

(2) Under current law, orthodontic dental services are not covered under the Medi-Cal Act unless necessary for balance of a complete artificial denture

This bill would provide coverage for such services under the Medi-Cal Act in cases of cleft palate deformities, where such services are administered by the crippled children services program.

Ch. 842 (AB 4129) Hart. Public social services.

Under current law when an overpayment of aid to a recipient is a result of his fraud, the county may adjust current grants to recover the overpayment and a suit for restitution may be brought

This bill, with regard to aid to families with dependent children, would require the county counsel to bring such suit for restitution unless the board of supervisors delegates such duty to the district attorney

This bill would further provide that neither an appropriation is made nor an obligation created for the reimbursement of any local agency because the duties, obligations, or responsibilities imposed by the act are such that related costs are incurred as part of its normal operating procedures.

Ch. 843 (AB 4138) Ingalls. Vehicles. sales by dealers, window visibility requirements.

(1) Under existing state law, new and used vehicles not licensed in this state may be operated without license plates or registration cards, and used vehicles licensed in this state may be operated without registration cards, not to exceed 20 days from the date sold by a dealer or until the license plates or cards are received from the Department of Motor Vehicles, when a copy of the report of sale form and the temporary identification device are used and displayed in accordance with departmental rules and regulations, if the following conditions are met: (1) the copy of the report of sale and the temporary identification device are affixed to the vehicle, (2) all fees and penalties due the department are paid by the selling dealer within 20 days of the sale, and (3) the sale is reported to the department. Under existing law each failure to comply with any of the conditions constitutes a separate cause for discipline pursuant to provisions of the Vehicle Code regarding the suspension and revocation of the license of a vehicle dealer.

This bill would delete nonpayment of all fees and penalties due the department within 20 days of the sale as grounds for a separate cause for discipline

(2) Under existing law, it is a misdemeanor for a dealer to include, as an added cost to the selling price of a vehicle, an amount for the licensing or transfer of title of the vehicle that is not due to the state unless, prior to the sale, the dealer paid that amount in order to avoid penalties for late payment of fees for licensing or transfer of title to the vehicle.

The bill would make it lawful for a dealer to collect, from the second purchaser of a vehicle, a prorated fee based upon the number of months remaining in the registration

year for that vehicle, if the vehicle had been previously sold by the dealer and the sale was subsequently rescinded and all the fees paid to the department were returned to the first purchaser of the vehicle

(3) Existing law with, specified exceptions, prohibits any person from driving a motor vehicle with any object or material displayed, installed, affixed, or applied upon the windshield or side or rear windows or upon the vehicle so as to obstruct or reduce the driver's clear view through the windshield or side windows

This bill would add to such exceptions (a) any rear window wiper motor, (b) rear trunk lid handle or hinges, and (c) the rear window or windows, when the vehicle is equipped with outside side mirrors in a specified manner.

(4) The bill also would make various technical changes

Ch 844 (AB 4139) Ingalls. Vehicles: definition of bus, passenger vehicle.

Existing state law generally defines: (1) a bus as any motor vehicle designed for carrying more than 10 persons including the driver, and used or maintained for the transportation of passengers, and (2) a passenger vehicle as any motor vehicle designed for carrying not more than 10 persons including the driver, and used or maintained for the transportation of persons.

This bill would provide that a vehicle, other than a motortruck or truck tractor, designed for carrying not more than 12 persons, including the driver, which is maintained and used in the nonprofit transportation of adults to and from a work location as part of a carpool program or when transporting only members of the household of the owner thereof, shall not be considered to be a bus, but shall be considered to be a passenger vehicle, for purposes of the Vehicle Code.

The bill would also make a technical, nonsubstantive change.

Ch. 845 (AB 4229) Vicencia. Insurance: fiduciary funds

The existing law requires specified persons receiving fiduciary funds to either remit premiums, less commissions, to the person entitled thereto within 15 days after receipt of the funds, or maintain such fiduciary funds in specified bank accounts.

This bill would require such persons to either remit premiums, less commissions, to the person entitled thereto, or to maintain such funds in specified bank accounts.

Ch 846 (AB 4240) Wilson. Welfare: vocational rehabilitation.

Existing law provides that the Department of Rehabilitation may utilize funds made available from appropriations by Congress, by gifts or grants from private sources or by state appropriations, or both, or by transfer of funds from other state departments subject to usual budgetary controls for the purpose of establishing and operating halfway houses, resident centers, or other rehabilitation facilities, or of cooperating with other public or private agencies for this purpose

This bill would revise such authorization to provide that the department may utilize funds made available from appropriations by Congress, by gifts, grants, or reimbursements from private or public sources or by state appropriations, or both, or by transfer of funds from other state departments subject to usual budgetary controls for the purpose of establishing and operating halfway houses, resident centers, other rehabilitation facilities, or of providing vocational rehabilitation services including related administrative costs, or of cooperating with other public or private agencies for these purposes

Ch 847 (AB 4347) Brown. Bank and corporation taxes: capital expenditures

Existing Bank and Corporation Tax Law, with certain exceptions, provides that any amount attributable to the planting, cultivation, maintenance, or development of any citrus or almond grove, which is incurred before the close of the 4th income year beginning with the income year in which the trees were planted, shall be charged to capital account

Substantially similar provisions of the Personal Income Tax Law were amended by Chapter 1033 of the Statutes of 1975 to make such requirements applicable to all other fruit and nut groves

This bill would conform such requirement to Personal Income Tax Law by making such requirement applicable to all other fruit and nut groves for purposes of Bank and Corporation Tax Law

This bill would take effect immediately as a tax levy, but its operative effect will depend upon the time at which it becomes effective

Ch. 848 (AB 4411) Briggs. Municipal courts: Orange County

Existing law provides that there shall be 9 judges of the North Orange County Municipal Court and 11 judges of the Central Orange County Municipal Court.

This bill would increase the number of judges from 9 to 10 and on July 1, 1978, from 10 to 11 in the North Orange County Municipal Court, and from 11 to 12 and on January 1, 1978, from 12 to 13 in the Central Orange County Municipal Court.

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of local government entities which desired authority to act pursuant to the act.

Ch. 849 (AB 4472) Chappie. Municipal courts: Sutter County.

Existing law makes no provision for a municipal court in Sutter County.

This bill would establish the Sutter County Municipal Court with one judge and specify the number, classifications and compensation of court personnel.

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desired authority to act pursuant to the act.

Ch. 850 (AB 4504) Vincent Thomas. Commercial fishing: yellowfin tuna and albacore.

Under existing law, for purposes of taking fish for profit, albacore weighing less than 7 pounds and yellowfin tuna weighing less than 7½ pounds may not be sold, purchased, or processed.

The bill would remove these weight limitations on such activities.

The bill would take effect immediately as an urgency statute.

Ch. 851 (AB 4511) Mori. Temporary housing projects: Komandorski Village.

With certain exceptions, the Temporary Housing Projects Law required demolition, prior to March 4, 1972, of dwelling structures in temporary housing projects acquired by any city, county, or housing authority from the federal government. Present law expressly provides that the housing authority of the City of Pleasanton need not demolish the temporary housing project known as "Komandorski Village" until January 1, 1977.

This bill would extend the date for the required destruction of Komandorski Village until January 1, 1979. Additionally, the bill would delete obsolete provisions of the Temporary Housing Projects Law.

Ch. 852 (AB 4529) Keene. Appropriation: State University, Humboldt: construction; remodeling: Founders' Hall.

Under existing law, all money in the Capital Outlay Fund for Public Higher Education is available, when appropriated by the Legislature, for expenditure for capital outlay purposes relating to public higher education. No money has been appropriated for construction and remodeling of Founders' Hall at State University, Humboldt.

This bill would appropriate \$495,000 from the fund to the Trustees of the California State University and Colleges, subject to the approval of the State Public Works Board, for such construction and remodeling.

The bill would take effect immediately as an urgency statute.

Ch. 853 (AB 3357) Fazio. State property: leasing.

Existing law authorizes the Director of General Services to lease property acquired pursuant to specified provisions of the law relating to the Capitol Area Plan and requires, except with respect to property leased for parking, that 24% of the money received as rental from private persons under any such lease be deposited in a specified fund the money in which is paid to the County of Sacramento for specified distribution.

This bill would provide that a lessee of such property may in any year, apply to the Department of General Services for, and receive, a credit against future rental payments or a refund if he is no longer leasing the property, upon submission of evidence to the department that he has paid the tax imposed upon him for that year for his possessory interest in the property. The amount of the credit or refund would be in the amount of tax actually paid and would be deducted from payments made from the proceeds of the lease to the County of Sacramento pursuant to specified provisions of the law.

Ch. 854 (AB 4001) Keene. Health planning.

Under present law relating to health planning, the State Department of Health is prohibited from licensing new health facilities or increases or conversion of bed capacity to different license categories, except outpatient or emergency care, unless the proposal has first been approved by the voluntary area health planning agency or on appeal therefrom, or the voluntary area health planning agency failed to act within the time prescribed by law, or 12 months have expired since the decision of the voluntary area health planning agency. Under present law, payment for services pursuant to the Medical Act may not be made to health facilities which have been constructed or which have added bed capacity or converted bed capacity to a different category of licensure without the approval of the voluntary area health planning agency or approval on appeal from a decision thereof.

This bill would substantially revise existing provisions of law relating to health planning to, among other things, make the decisions of area health planning agencies only advisory, with the actual decisionmaking power vested in the State Department of Health. The bill would provide for appeal of decisions of the department to the Advisory Health Council.

The scope of projects subject to health planning would also be expanded and such projects could not be undertaken without a certificate of need issued by the department, except for projects or portions of projects which are given an express exemption. The undertaking of such a project without a certificate of need would be grounds for denial or revocation of licensure, prescribed civil penalties, and would require denial of Medical reimbursement for services.

This bill would require health facilities to be licensed for bed capacity and categories prescribed by the license.

This bill would prescribe fees for licensed health facilities to pay for prescribed health-planning costs, and would appropriate \$500,000 to the department for funding contracts with voluntary area health planning agencies pursuant to the bill.

The above changes would not become operative until the department adopts regulations for their implementation and such regulations become effective.

This bill would appropriate \$75,000 to the State Controller for allocation and disbursement to local agencies for costs incurred by them pursuant to this bill, and would provide that if federal funds are not available to offset such allocations and disbursements, then the local agencies would not be subject to prescribed fees.

This bill would take effect immediately as an urgency statute.

Ch. 855 (AB 3125) Alatorre. Educational testing

Existing regulations prohibit a school district from presenting districtwide results of a testing program to the governing board of the district or releasing them to the public until the statewide results of the program have been presented to the State Board of Education at a regularly scheduled meeting.

This bill would (1) require the Department of Education to report the results of all state-mandated testing programs to the individual school districts by September 15th following test administration, and (2) permit a district superintendent to report such test results at the first regularly scheduled meeting of the district governing board after the statewide results have been presented to the State Board of Education.

Ch. 856 (AB 3408) Hart. Courses of study.

Existing law requires the governing board of any school district maintaining a high school to adopt minimum academic standards for graduation. Such standards must include a college preparatory and a vocational program. It specifies requirements for graduation and provides that no pupil shall receive a diploma from grade 12 who has not completed the course of study and met the standards of proficiency, prescribed by the governing board. The State Board of Education is required to prepare and distribute to each school district maintaining a junior high school or a high school, examples of minimum academic standards for graduation for its consideration.

This bill would require the State Board of Education to prepare performance indicators in addition to examples of such minimum academic standards for graduation, and a framework for assessing pupil proficiency in reading, writing, and computation skills.

This bill would also recast such provisions and require the governing board of such

a district, with the active involvement of parents, administrators, teachers, and students, to adopt alternative means for students to complete the prescribed course of study which may include practical demonstration of skills and competencies, work experience and other outside school experience, interdisciplinary study, independent study, and credit earned at a postsecondary institution.

It would require assessment of a pupil's progress toward proficiency in basic skills at designated times and that written notice of such assessments be provided to the pupil and to the pupil's parent or guardian.

The bill would appropriate \$175,000 to the Department of Education for the purpose of preparing and distributing the framework for assessing pupil proficiencies.

This bill would also incorporate additional changes to Section 8575 of the Education Code, including certain changes proposed by Assembly Bill No. 2725, contingent upon the enactment of Assembly Bill No. 2725.

Finally, it would appropriate \$224,000 to the State Controller for allocation and disbursement to local agencies for costs incurred by them pursuant to this act

Ch. 857 (AB 3401) Brown. Pharmacy.

Existing law authorizes the State Board of Pharmacy to permit a person who is certified by the board to have had sufficient and equivalent education and experience in pharmacy, including 2 years' practical experience in pharmacy in a foreign country within the past 5 years, to take the written and practical pharmacy examination

This bill would provide that such provision is to be operative until June 30, 1979 and on and after such date a person, who is at least 18 years of age, who has graduated from a college of pharmacy recognized by the board, or has completed a course of instruction in a foreign pharmacy school established by the board as being equivalent to domestic graduates, and is licensed to practice pharmacy in such country, and has not less than 1,500 hours of practical pharmacy experience, shall be permitted to take the written and practical pharmacy examination. The bill would require the board to determine the specific hours of experience required, not to exceed 3,000 hours, for an applicant based on previous training and experience

The bill would require the board to register as pharmacists and issue a certificate to all applicants meeting the specified requirements and who successfully complete the written and practical examination.

Ch. 858 (AB 4153) Craven. San Diego County flood control.

Existing law creates the San Diego County Flood Control District, consisting of specified territory of the County of San Diego, to provide for the control of the flood and storm waters of the district, and related purposes, and prescribes the government, powers and duties of the district

This bill would authorize the district, by ordinance, to fix an annual flood control or storm drainage charge to be levied on benefited land and to be collected each fiscal year in the district or in any portion thereof to which any flood control or storm drainage system is or will be made available by the district. The bill would require such revenues to be used for the acquisition, construction, reconstruction, maintenance, and operation of the flood control or storm drainage facilities or to reduce the principal of any bond indebtedness thereof. The bill would specify the procedure for adoption of such ordinance, permit the charge to vary according to the benefit conferred on the land, specify the procedure for collection of the charge, and provide for the charge to be a lien on the property on which it is levied.

This bill would also permit the board of directors of the district, whenever in its opinion the public interest or convenience may require, to order any work or improvement which it is authorized to undertake to be done in accordance with the procedure and in pursuance of the provisions of either the Improvement Act of 1911, the Municipal Improvement Act of 1913, or the Improvement Bond Act of 1915.

The bill would provide that there shall be no reimbursement for any state-mandated local cost for a specified reason

Ch 859 (AB 3536) Tucker. Los Angeles County Flood Control District: contracts

(1) Existing law requires all contracts estimated to cost in excess of \$10,000 to be let to the lowest responsible bidder for any improvement or unit of work of the Los Angeles County Flood Control District, except when all proposals are rejected as not suitable to the best interests of the district, no proposals are received, if the estimated cost does not exceed \$10,000, or if the work consists of channel protection, temporary work, maintenance work, or emergency work necessary to protect life and property from impending flood damage

This bill would require all contracts estimated to cost in excess of \$25,000 to be let to the lowest responsible bidder for any improvement or unit of work of the Los Angeles County Flood Control District, except when all proposals are rejected or not suitable to the best interests of the district, no proposals are received, if the estimated cost does not exceed \$10,000, or if the work consists of channel protection, temporary work, maintenance work, or emergency work necessary to protect life and property from impending flood damage.

(2) Existing law also authorizes the purchasing agent of the Los Angeles County Flood Control District to contract for miscellaneous or various items of work without separately specifying such items, not to exceed in the aggregate an estimated cost of \$10,000, exclusive of materials furnished by the district, without competitive bid.

This bill would increase such maximum aggregate amount to \$25,000.

Ch. 860 (AB 3799) Chel. Testamentary trusts.

Existing law provides that for a disclaimer of interest to be effective in the case of interests created by will it must be filed within nine months of the death of the person creating the interest. In cases of interests created other than by wills, intestate succession or inter vivos trusts the disclaimer of interest must be filed within nine months after the first knowledge of the interest is obtained by a person able to disclaim.

This bill would provide in the specified cases that such disclaimer of interest may be filed within nine months after the interest becomes indefeasibly vested or within the present time period, whichever occurs later.

Existing law provides that when a trust created by will continues after distribution, the superior court shall not lose jurisdiction of the estate by final distribution, but shall retain jurisdiction for the purpose of determining to whom the property shall pass and be delivered upon the termination of the trust

This bill would provide that unless a testator provides otherwise, such a trust created by will after July 1, 1977, shall not be subject to the continuing jurisdiction of the court.

Ch 861 (SB 1953) Alquist State projects bidders, contractors, and prevailing wages

Existing law provides that in all state projects where federal funds are involved and where a bidder is required to be prequalified, no bid submitted or contract awarded shall be invalidated if the bidder or contractor is not licensed in this state before the first payment is made.

This bill would delete the prequalification requirements from these provisions.

Existing law requires not less than the general prevailing rate of per diem wages be paid to all workmen employed on public works.

This bill would except from this requirement public works projects of \$500 or less.

Ch 862 (SB 2050) Song. Judges' Retirement Law: benefits

Existing Judges' Retirement Law authorizes judges to file applications for retirement. This bill would permit judges to file a notice of retirement within 90 days after termination of office

Ch 863 (SB 1501) Gregorio Schools. independent study programs, attendance

Existing law requires, in computing the average daily attendance of a school district, that there be included the attendance of high school students in an independent study program under the coordination, evaluation, and general supervision of an employee of the district who possesses a valid certification document

This bill would, instead, permit the inclusion of the attendance of elementary or high school students, or both, enrolled in kindergarten or any of grades 1 through 12 in an

independent study program

Current law specifies that a pupil enrolled in an independent study program must also be a full-time student enrolled in regular classes which meet the minimum daily requirements

This bill would specify, instead, that a pupil enrolled in an independent study program must also be enrolled in a regular program for the prescribed minimum schoolday.

Ch. 864 (SB 1520) Marks. Public social services.

Under current law a recipient of aid under the state supplementary program for the aged, blind and disabled may receive an emergency loan from the county for a lost, stolen or delayed payment within 4 days of reporting such fact to the federal government. The state reimburses the county for any uncollected loans.

This bill instead would authorize such loans after 4 days of the check's normal delivery date.

Ch. 865 (SB 2143) Berryhill. Taxation: political organizations.

(1) Under present Bank and Corporation Tax Law, certain political organizations are exempt from taxation, with certain exceptions.

This bill would expand the definition of political organizations entitled to this exemption to include other entities.

(2) Under present law, contributions, proceeds from fundraising activities and sale of campaign material are included within the definition of income of a political organization which is exempt from taxation.

This bill would also exempt from taxation the income from fees and assessments paid to a political organization by members, to the extent the exempt income is segregated for use only for the exempt function of the political organization

[This act would take effect immediately as a tax levy.] *

Ch. 866 (AB 2832) Hughes. Schools: pupils: absences for chiropractic care.

Existing law provides that the absence of a pupil from school or class for the purpose of having medical, dental, or optometrical services rendered shall not be deemed an absence in computing the total days of attendance of a pupil

This bill would add the absence of a pupil for the obtaining of chiropractic services for purposes of such attendance computation.

This bill would take effect immediately as an urgency statute

Ch. 867 (AB 3161) Siegler. Community colleges.

Existing law authorizes two districts to enter into an interdistrict attendance agreement under which residents of one district may attend a community college in the other district. Interdistrict tuition charges of specified maximum amounts, including amounts computed with reference to the total current expense of education and actual expense of transportation, plus a \$300 per student amount for use of buildings and equipment, may be provided for in the agreement.

This bill would provide that, with respect to agreements entered into after July 1, 1976, the per pupil charge for the use of buildings and equipment shall be \$300 in 1976-77, \$200 in 1977-78, and \$100 in 1978-79. It would specify that no charge may be made after 1978-79.

This bill would eliminate the actual expense of transportation from the computation of the maximum amount of interdistrict tuition charges.

Ch. 868 (AB 4167) Wornum. Commission on the Status of Women per diem.

The existing law provides that each member of the Commission on the Status of Women shall be entitled to receive actual necessary expenses while on official business of the commission.

This bill would add that public members of the commission shall also receive \$50 per day per diem while on official business of the commission, not to exceed 12 days per year

Ch. 869 (AB 4452) Sieroty Department of Rehabilitation

Existing law sets forth three separate provisions guaranteeing access to public places and conveyances by handicapped persons.

This bill would authorize the Department of Rehabilitation acting through the Attorney General, or the Attorney General to bring action to enjoin violations of two of such provisions, and the Attorney General, district attorney or the city attorney to enjoin violations of all three provisions

Ch. 870 (SB 227) Berryhill Fire prevention: State Forester agreements.

Under existing law the State Forester may, with the approval of the State Department of General Services enter into cooperative agreements, for the prevention and suppression of forest fires or other fires, with a county, city, or district which makes an appropriation for that purpose.

This bill would require the State Forester to enter into a cooperative agreement with any county with a population of 100,000 or less, when any such county so requests, for the purpose of preventing and suppressing forest fires or other fires within the county upon such terms and under such conditions as are mutually determined by the parties to be necessary or desirable to accomplish that purpose.

This bill would also require such cooperative agreements to provide, in a reasonable manner, for the efficient utilization of specified necessary fire prevention and suppression related equipment, personnel, and buildings under the jurisdiction of the State Forester located in the county during the period commonly designated the "nonfire season" and to provide for the apportionment of the cost thereof according to certain methods of computation. The county would be required to pay all the costs of the employment of the specified additional personnel under such an agreement during the "nonfire season."

The bill would, in addition, authorize the State Forester, in accordance with policy determined by the State Board of Forestry, to provide personnel for and operate such fire stations, statewide, as he deems necessary to provide the best possible fire protection, would provide that personnel and equipment shall not be assigned so as to reduce the striking force and efficiency of the Division of Forestry in its primary mission of wildland fire protection, as determined by the board, would require that such policy and standards be designed to assure that the division will not need any additional funds to operate its programs, and would provide that the normal assignment of fire resources of the division to southern California at specified times shall not be impaired and shall receive priority over agreements with counties pursuant to the bill

The bill would require the State Forester to establish a three-year pilot program to implement such provisions, and would require the Department of Conservation at the end of such period to report to the Legislature on the cost and effectiveness of the program.

Ch. 871 (SB 1425) Mills. Transportation transit development boards.

(1) Under the Mills-Alquist-Deddeh Act, the San Diego Metropolitan Transit Development Board is statutorily created and is the transportation planning agency for the area under its jurisdiction.

This bill would delete the designation of the San Diego Metropolitan Transit Development Board as a transportation planning agency.

(2) Under the Mills-Deddeh Transit Development Act, the area under the jurisdiction of the board included (a) the cities of Chula Vista, El Cajon, Imperial Beach, La Mesa, National City, and San Diego, (b) specified census tracts; (c) and all the unincorporated area of San Diego County surrounded by the named cities.

The bill would also include within the area under the jurisdiction of the board census tracts 32.03 and 123.00 and all the unincorporated area of the county surrounded by the census tracts included within the area of the board

(3) Under that act, the alternate member of the transit development board for the San Diego County Board of Supervisors may be an officer of the county (other than a county supervisor), and the alternate member for a mayor or a member of a city council may be an officer (other than a city councilman) of the city or cities entitled to the appointment of the member

The bill would require that the alternate member for the board of supervisors be a

member of the board of supervisors and the alternate member for a mayor or a member of a city council be a city councilman from the city or cities entitled to the appointment of the member

(4) Under that act, no public entity in the area under the jurisdiction of the board, except the board, may apply for grants under the Urban Mass Transportation Act of 1964, as amended by the National Mass Transportation Assistance Act of 1974, for mass transportation capital expenditures in urban areas.

This bill would only prohibit such other public entities from applying for such grants for exclusive public mass transit guideway purposes. However, any project of such other public entity funded by such grants would be required to be in conformance with the transportation improvement program of the board

(5) Under that act, the board is required to adopt an administrative code providing for, among other things, the appointment of a general manager

The bill would require that the general manager be experienced in the management, planning, and development of urban mass transportation systems

Ch 872 (SB 1435) Petris. Appointments by the Governor

Presently, persons appointed by the Governor subject to confirmation by the Senate may not be granted an interim appointment if the Senate refuses to confirm

This bill would provide, in addition, that when the Senate refuses to confirm an appointment, the person may serve in that position only (a) for 60 days after the Senate's refusal, or (b) until either December 31 of the odd-numbered year of a session if the Senate's refusal occurs after the beginning of the two-year session, or November 30 of the following even-numbered year if the Senate's refusal occurs during the second year of the two-year session, whichever of (a) or (b) first occurs

Ch 873 (SB 1726) Nejedly. Electrified fences. safety standards

Statutory law does not provide for the regulation of electrified fences

This bill would define "electrified fence" and would require the Department of Food and Agriculture, in consultation with the Department of Industrial Relations, to recommend to the Legislature by July 1, 1977, minimum standards of safety for such fences. The recommendations would be required to at least prescribe maximum force or duration, or both, of the electrical shock of the fence. The bill would also provide that it not be construed to preclude regulation of such fences by cities and counties

The provisions of the bill would remain in effect only until January 1, 1979.

Ch. 874 (SB 1751) Smith. Western regional education.

Pursuant to the authorization of existing law California is a member of the Western Regional Education Compact, under which contracts are made between the Western Interstate Commission for Higher Education and the governing authorities of educational institutions in the region covered by the compact to provide graduate or professional service to students unable to obtain such services elsewhere within the region

The compact provides that withdrawal therefrom is accomplished by appropriate legislation: withdrawal is not effective until two years after written notice thereof by the Governor accompanied by a certified copy of the legislation is received by the commission.

This bill would direct the California Postsecondary Education Commission to report to the Legislature on specified factors related to the desirability of California's continued participation in the Western Interstate Commission for Higher Education, and would appropriate \$20,000 for preparation of the report

It also would take effect immediately, as an urgency statute

Ch 875 (SB 1789) Deukmejian. Recoveries of minors or insane or incompetent persons disposition—variable annuities

Existing law provides for the disposition of certain recoveries of minors and of insane or incompetent persons by deposit in banks or trust companies or by investment in accounts of insured savings and loan associations or in shares of an insured credit union

This bill would authorize the additional disposition of investing in specified single-premium deferred annuities, as defined, issued by admitted life insurers and would make related changes

Ch 876 (SB 1808) Holden. Imprisonment: sentencing transcript

Existing law provides for the furnishing of various information to the Department of Corrections by courts respecting sentenced prisoners. A transcript of the sentencing proceedings is not included.

This bill would require the furnishing of such a transcript.

The bill would also provide that neither appropriation is made nor shall there be reimbursement of any local agency for any costs incurred by it pursuant to the act because the duties, obligations, or responsibilities imposed on local government by the act are minor in nature and will not cause any financial burden to local government.

Ch. 877 (SB 1918) Holmdahl. Property tax assessment procedures.

Existing law establishes procedures which must be followed in the assessment of certain property owned by utilities which is assessed by the State Board of Equalization, and with regard to hearings on such assessments.

This bill would revise such procedures.

Existing law authorizes the State Board of Equalization to prepare tax bills on state-assessed property for local agencies.

This bill would repeal such provisions.

Existing law provides that the Executive Officer of the Franchise Tax Board shall be the member of the Multistate Tax Commission to represent this state for the commission's fiscal year period beginning in even-numbered calendar years and the Secretary of the State Board of Equalization shall be such member for the commission's fiscal year period beginning in odd-numbered calendar years.

This bill would provide that the Chairman of the Franchise Tax Board replace the executive officer as the member for the commission's even-numbered calendar years, and that the Chairman of the State Board of Equalization, rather than its secretary, shall be such member for the commission's fiscal year period beginning in odd-numbered calendar years.

Ch 878 (SB 1926) Grunsky. Port districts: ordinances; disposition of fines and forfeitures.

Existing law authorizes the board of port commissioners of a port district to adopt ordinances necessary for the regulation of the district with respect to specified activities.

This bill would authorize the adoption of such ordinances for the regulation of berthing of vessels, rather than berthing assignments.

Existing law requires the deposit with the county treasurer of all fines and forfeitures collected in a municipal or justice court upon conviction or as forfeited bail and specifies various city and county funds to which certain amounts of such fines and forfeitures are required to be transferred.

This bill would require the county treasurer to transfer, once a month to the treasurer of any port district in the county, 20% of all fines and forfeitures collected during the preceding month for violations of port district ordinances committed on property or waters owned or controlled by the district, whenever enforcement was undertaken by designated district personnel. The bill would make a related, conforming change.

This bill would provide that there shall be no reimbursement pursuant to Section 2231 of the Revenue and Taxation Code and no appropriation made by the bill for a specified reason.

Ch. 879 (SB 1976) Ayala. Insurance fees and penalties.

Existing law provides for the payment of various fees and penalties by insurers and production agencies.

This bill would increase specified fees and penalty charges paid by insurers and production agencies, and impose certain new fees and charges under the Insurance Code.

This bill would also incorporate the changes to Section 12389 of the Insurance Code proposed by Senate Bill No. 1915, to be operative only if this bill and Senate Bill No. 1915 are both chaptered and become effective January 1, 1977, both amend Section 12389, and this bill is chaptered after Senate Bill No. 1915.

Ch 880 (SB 1944) Nejedly Public social services, food stamps

Existing law establishes, in a schedule of basic standards of adequate care for needy children, a minimum amount of \$5 for each additional needy person in the same family in excess of 10 needy persons in the same family

This bill would, operative January 1, 1977, increase such minimum amount to \$7.

Under current law, each county welfare department is required to issue food stamps by public assistance withholding and by direct mail, no later than July 1, 1975, and may issue such stamps, by other methods authorized by the department

This bill would require the Director of Benefit Payments to immediately provide, for three methods, including over-the-counter issuancy by which a county is required to sell food stamps to all eligible households and would authorize the director under specified conditions to waive public assistance withholding or direct mail issuance.

This bill would take effect immediately as an urgency statute

Ch 881 (AB 523) MacDonald. Survey monuments.

Existing law does not specifically authorize a county board of supervisors to establish a survey monument preservation fund to pay the necessary expenses in any retracement or remonument survey of major historical land division lines upon which later surveys are based.

This bill would permit the board of supervisors of a county to establish a fund to pay necessary expenses incurred by the county surveyor in any remonument survey performed within a county, and to extinguish such fund if it finds that the need for such fund no longer exists. The county surveyor would be required to prepare a map of such survey, which would become a public record within 90 days of completion of his field-work.

The bill would, if such fund is established, authorize a county board of supervisors to impose a user fee, not to exceed \$10, for filing or recording any grant deed conveying real property, to be charged by the county recorder and to be forwarded monthly to the county treasurer for deposit to the county survey monument preservation fund. Grant deeds conveying lots created by recorded tract maps would be exempt from such fees

Ch 882 (AB 1048) Keene. Fish and game: commercial fishing.

(1) Under existing law, there are specific statutory prohibitions against, and specific statutory authorization permitting, the use of drift or set gill nets for taking fish for profit (commercial purposes)

The bill would require the Fish and Game Commission to determine by regulation, if such gill nets may be used to take herring for profit. The commission would also be authorized to determine the size of the meshes of, and the material used to make, such gill nets used for taking herring for profit.

(2) Under existing law, with one exception, round haul nets may not be possessed on any boat in Districts 1, 2, and 3

The bill would, in addition, add an exception to this prohibition which would permit the possession of a round haul net on a boat in that part of District 2 lying within Marin County

Ch. 883 (AB 2607) Keysor. Political Reform Act of 1974: amendment.

Existing law provides that: the Political Reform Act of 1974 may be amended (1) by a statute that becomes effective only when approved by the electors or (2) by a statute to further its purposes passed by a two-thirds vote in each house and signed by the Governor, if at least 40 days prior to its passage in each house the bill in its final form has been delivered to the Fair Political Practices Commission for distribution to the news media and interested parties.

This bill would reduce the number of days by which a bill must be delivered to the commission before final passage in each house from 40 to 20

The bill would take effect immediately as an urgency statute

Ch. 884 (AB 2875) Mori. Schools: certificated employees: salary payments

Existing law provides that the salary payment due a certificated employee for his last month of service in any district during any fiscal year shall not be approved by the

county superintendent of schools until all reports required from the employee have been filed with the superintendent.

This bill would provide that such payment shall be made within 10 calendar days after the filing of all such reports if after the regular payday or the last month of service.

It would also state that there are no state-mandated costs imposed on local governmental entities by the bill

Ch. 885 (AB 3013) Brown. Inheritance tax referees

Under current law, an inheritance tax referee receives an appraisal fee of $\frac{1}{10}$ of 1% of the first \$500,000 of an estate, but not less than \$5, and $\frac{1}{20}$ of 1% for all of an estate which is more than \$500,000.

This bill would limit such fee to a maximum of \$5,000 unless the court granted the referee's application for a fee in excess of \$5,000, raised the minimum fee to \$25, and provided an additional fee of \$25 where recomputation of the estate is required for reasons other than an error or omission of the referee.

This bill would also take effect immediately as an urgency statute.

Ch. 886 (AB 3035) McVittie Taxation: vacation pay expenses; deductions for solar energy devices

(1) Under existing law, accrual basis taxpayers who are employers may deduct as expenses vacation pay for employees only in the year in which an employee's right to the vacation is fixed.

This bill would provide that a taxpayer who computes his income on an accrual method of accounting may deduct as a trade or business expense both vested and contingent amounts of vacation pay earned by the taxpayer's employees before the close of the taxable year which are payable during that year or within 12 months thereafter. It would specify that amounts are to be treated as payable during a taxable year or within 12 months thereafter if the employees have a right to receive the payments during this period even though actually paid to them at a later date. It would provide various rules to prevent a doubling up of vacation pay deductions in the first year of the election.

(2) Existing law defines "induction period" for various purposes, including compensation to be included in gross income while a person serves in the armed forces during this period.

This bill would remove all reference to the induction period

(3) Under existing law, requests for extensions for filing tax returns must be made on or before the due date for filing the return.

This bill would exempt taxpayers residing or traveling abroad from this requirement and would make other minor changes

(4) Existing state personal income tax law and bank and corporation tax law authorizes every taxpayer to elect to deduct from such taxes a credit of an amount equal to the lesser of 10% of the cost, or \$1,000, of the acquisition cost of any solar energy device on premises owned and controlled by the taxpayer, payment for which is made by the taxpayer during the taxable year or the income year, in lieu of any other deduction to which such taxpayer may be entitled.

This bill would exclude interest charges from the allowable credit and require that the credit be taken in the year of installation of the solar energy device, and would make minor related changes.

(5) Under existing Bank and Corporation Tax Law, an addition to the tax is imposed for an underpayment of an installment of estimated taxes, unless such payment equals or exceeds an alternate amount which would have been required to be paid on or before such date if the estimated tax was equal to an amount computed on the basis of prior tax years, as specified.

This bill would revise the method of computing the amount of the underpayment on which the additional tax is computed, and would revise the method of computing the alternate amount of taxes which may be paid without the additional tax

[This act would take effect immediately as a tax levy.] *

Ch. 887 (AB 3098) Deddeh Community colleges; governing boards

Under existing law, members of a community college district governing board may be elected simply at large, at large on the basis of residence in trustee areas, or by the voters of individual trustee areas of candidates residing in the respective areas.

This bill would authorize the governing board of any community college district to assign by lot a number to each seat on the board. Once assigned, any candidate for election to the board would be required to run for a particular numbered seat on the board and be elected at large.

Ch 888 (AB 3128) Knox Unincorporated associations.

Existing law provides, with respect to the designation of a corporation as agent to receive service of process for another corporation or unincorporated association, that prior to the designation of such corporation as an agent, the agent must file a certificate with the Secretary of State. The certificate must set forth, among other things, the complete address of the agent's office in each city, town or village named in any designation as agent, which shall be the office where the designator may be served with process. Effective January 1, 1977, the language requiring the address in each city, town or village be set forth will be deleted, and instead the certificate will set forth the complete address of the agent's office or offices in this state where the designator may be served with process.

This bill would make changes to conform with the law that becomes effective January 1, 1977, in the laws relating to limited partnerships and unincorporated associations.

Existing law provides that if an unincorporated association designates a corporate agent to receive service of process, the form designating such agent shall set forth the state or place under the laws of which such agent was incorporated and the name of the city, town or village wherein it has an office to receive service of process.

This bill would delete this requirement.

Existing law requires the Secretary of State to index each designation of agent by an unincorporated association, and requires the index to, among other things, set forth the address of the agent.

This bill would limit the requirement that the address of the agent be set forth in the index to agents who are natural persons only.

Ch. 889 (AB 3144) William Thomas. Municipal courts: Kern County.

Existing law provides for a municipal court in the City of Bakersfield with 6 judges, and justice courts in the rest of Kern County.

This bill would expand the municipal court to supersede 7 justice court districts and establish a second municipal court in the county upon consolidation of the 3 remaining justice court districts in the county. The number of judges of the existing court would remain 6 and the second court would have 2 judges.

The bill would also classify and provide compensation for the employees in the municipal courts of Kern County.

This bill would further provide that no appropriation or reimbursement of local agencies is made for costs incurred by them pursuant to this bill for a specified reason.

Ch. 890 (AB 3153) Brown. Subdivisions: conversion of apartment house to condominium.

Existing law imposes duties and prohibitions on a local agency in the agency's review of a proposed map of a condominium project.

This bill would require that the legislative body of a local agency not approve a final subdivision map for a condominium or a community apartment project resulting from the conversion of residential real property unless the tenants of the proposed project are given 120 days' notice of termination of their tenancy. The bill would declare that the other rights and duties of the parties shall not be changed by this requirement. A 60-day exclusive right for tenants to purchase their respective unit would also be required. The bill would provide that its provisions shall not diminish, limit or expand, other than as provided therein, the authority of any city, county, or city and county to approve or disapprove condominium projects.

Ch. 891 (AB 3258) Miller. Drivers' licenses suspension, revocation hearings

(1) Under existing statutory law, generally, the Department of Motor Vehicles conducts an informal hearing whenever the department has or proposes to revoke or suspend a driver's license, or impose terms and conditions of probation, or refuse to issue or renew a driver's license. Existing law does not expressly authorize the department to issue subpoenas in connection with such informal hearings.

This bill would require the department, or the referee assigned to the hearing, to issue subpoenas and subpoenas duces tecum before an informal hearing has begun at the request of any party. The bill would authorize the department, or the referee, to issue subpoenas after an informal hearing has commenced.

(2) Under existing law, the decision made by the department after either an informal or formal hearing regarding a person's driving privilege is effective upon giving of notice.

This bill would make such decisions effective as stated in the notice but in no event later than 15 days after the mailing of the notice.

(3) Under existing law, the department is required to suspend the driving privilege of a person who, following an accident, fails, refuses, or neglects to make a specified report thereon. Such suspension is to remain in effect for one year unless sooner terminated under specified conditions.

This bill would establish, as an additional condition for terminating a suspension of driving privileges prior to one year from the imposition thereof, the department's receipt of evidence, filed within 60 days following the accident, that prescribed financial responsibility is in effect.

Ch. 892 (AB 3383) Hart. State taxes minimum tax and refunds, exemptions and credits

(1) Existing Personal Income Tax Law imposes the minimum tax on items of tax preference, as defined, at a graduated rate on such income according to a schedule of increasing amounts of income. With the exception of heads of household, such tax is imposed on all taxpayers according to the same rate schedule except in the case of the joint return of a husband and wife, where the tax is twice the tax which would be imposed if the tax preference income were cut in half.

This bill would impose such tax on surviving spouses, as defined, in the same manner as in the case of a joint return of a husband and wife.

(2) Existing law requires that if a personal income tax return in the case of an estate or trust is made for a short period, the first \$4,000 amount of tax preference income in excess of net business loss in the tax rate schedule imposed on all taxpayers, except heads of household, shall be reduced to an amount which bears the same ratio to such amount as the number of days in the short period bears to 365.

This bill would require that if a personal income tax return in the case of an estate or trust is made for a short period, the first \$8,000 amount of tax preference income in excess of net business loss in the tax rate schedule imposed on heads of household shall also be reduced proportionately in such manner.

(3) Existing Personal Income Tax Law and Bank and Corporation Tax Law authorize the Franchise Tax Board to refund or credit taxpayers any amounts, not exceeding \$1,000, it determines were not required to be paid, without approval of the State Board of Control, except overpayments of estimated tax. Such approval must be obtained for larger refunds or credits.

This bill would increase to \$10,000 the amount the Franchise Tax Board may refund or credit taxpayers without such approval and would authorize the refund or credit of any amount of a refund resulting from a bank and financial tax rate determination.

(4) Existing statutes deny tax-exempt status to a religious or educational organization providing laundry service to the public for compensation under the Bank and Corporation Tax Law.

This bill would repeal these provisions which the courts have held to be unconstitutional.

(5) Existing statutes require an organization claiming exempt status under the Bank and Corporation Tax Law to file a nonsubversive declaration with the Franchise Tax Board.

This bill would repeal these provisions which is the state counterpart to federal law.

declared unconstitutional by the United States Supreme Court

(6) Existing statutes provide for tax credits for tuition to private schools under the Personal Income Tax Law.

This bill would repeal these provisions which have been held to be unconstitutional by the courts.

(7) Existing Bank and Corporation Tax Law provides for suspension or forfeiture of corporate privileges if taxes, penalties or interest, other than jeopardy or fraud assessments due, are not paid within a specified time period

This bill would eliminate the exemption for jeopardy or fraud assessments

(8) Existing law defines earned income for purposes of pension and profit-sharing plans to exclude corporate distributions of earnings or profits

This bill would eliminate this definition of earned income.

(9) This bill would take effect immediately as a tax levy.

Ch. 893 (AB 3438) Knox. Local agency formation commissions.

Under existing law, local agency formation commissions, referred to as LAFCO's, are created pursuant to the Knox-Nisbet Act, to perform specific functions, including generally the power to review, and approve or disapprove proposals to reorganize various agencies of local government. Various provisions within such law prescribe time limits within which an executive officer of a LAFCO, or a LAFCO, is required to act

This bill would provide that all of such time limits, except notice requirements, are directory rather than mandatory. This bill would also require that the provisions relating to LAFCO's be construed liberally to effectuate the purposes of the Knox-Nisbet Act, and would require that actions taken by LAFCO's not be invalidated by minor defects, errors, or irregularities or omissions, which do not adversely and substantially affect the rights of any person, city, county, district, the state, or any agency or subdivision of this state. In addition, all the terminations made by a LAFCO would be required to be final and conclusive in the absence of fraud or prejudicial abuse of discretion.

Also under existing law, where a LAFCO approves a proposal to reorganize a local governmental agency, proceedings for such reorganization are then required to be conducted pursuant to those provisions of law applicable to the proposal as it has been approved by the LAFCO...

This bill would establish additional procedures to be followed upon the approval of a proposal for reorganization by a LAFCO. Such procedures would include the filing with the executive officer of the LAFCO of the principal county the certified ordinance, resolution, or other document certifying approval of the reorganization by the legislative body of the appropriate county or city, along with a boundary description of the proposal, a check to cover fees required by other provisions of existing law, and any other attachments germane to the proposal. The executive officer of the LAFCO would then be required to determine whether or not such documents are in compliance, and if they are determined not to be in compliance, the executive officer would be required to specify in writing the points of noncompliance and return the documents to the county or local agency which initiated and conducted proceedings. Such procedures would also include the preparation and execution of a certificate of completion by the executive officer of a LAFCO, and the filing of such certificate with the Secretary of State.

Existing law provides that upon the filing with the Secretary of State of any notice or other document which is authorized or required by law to be filed upon completion of any proceedings for reorganization, the Secretary of State must give written notice of such filing to the executive officer of the LAFCO of each county within which any of the territory affected by such proceedings is located

This bill would delete such provision.

Ch. 894 (AB 3582) Arnett. Public social services.

Under current law certain personal property exemptions are allowed to recipients of aid to families with dependent children and aid to the potentially self-supporting blind in determining their income and resources. Such exemptions include the reasonable value of household furnishings and other household equipment up to a market value, less encumbrances, of \$300 for each item

This bill would allow the value of such items and eliminate such \$300 limitation on such items.

This bill would provide that there are no state-mandated costs requiring reimbursement of local government for specified reasons.

Ch 895 (AB 3697) Sieroty Grand juries' duties conversion to powers

Existing law requires any grand juror having knowledge or belief of the commission of a public offense to notify the grand jury and requires the grand jury to investigate it

This bill would change both requirements to authorizations

Existing law requires the grand jury to inquire into each county jail criminal imprisonment without indictment.

This bill would change that requirement to an authorization

Existing law requires the grand jury to investigate specified matters re land and escheat thereof and to summon and examine related witnesses and records

This bill would change such requirements to authorizations.

Existing law requires the grand jury to annually make specified examinations of specified accounts and records of county officers, to investigate the needs of county officers, and to make related reports

This bill would change such requirements to permit such examinations and investigations to be made selectively each year and require the examinations and investigations to be made at least every four years

Ch 896 (AB 3740) Nestande Prescription of controlled substances.

(1) The California Uniform Controlled Substances Act contains provisions which regulate prescriptions and filling of prescriptions for controlled substances

This bill would revise and restate such provisions and, among other things, would provide that no prescription for a controlled substance is required for sales at wholesale by pharmacies to specified persons.

(2) Under existing law, specified records of prescriptions for controlled substances are required to be retained for a minimum of two years

This bill would require that such records be retained for a minimum of three years

(3) This bill would also incorporate changes made by SB 2099 and SB 2100 to be operative only if SB 2099 and SB 2100 are chaptered before this bill

(4) This bill would provide that it would make no appropriation to reimburse local agencies for costs incurred by them under the bill for a specified reason

Ch 897 (AB 3755) Fazio Courts.

Existing law provides for justice courts in Yolo County

This bill would classify and provide compensation for municipal court employees in a newly created municipal court established in Yolo County, known as the Yolo County Municipal Court

The bill would also provide for 3 municipal court judges and other personnel in the Yolo County Municipal Court

Notwithstanding Section 2231 of the Revenue and Taxation Code, the bill would make no reimbursement nor appropriation because of a specified reason

Ch 898 (AB 3926) Campbell County sanitation districts

(1) Under existing law, where the presiding officer of a city or county is also a member of the board of directors of a county sanitation district, the governing body of such city or county is required to select one of its members to serve as an alternate on the sanitation district board while the presiding officer is absent or is unable or refuses to act as a member of the sanitation district board. Current law does not authorize the governing body of a sanitary district which has a member on the board of directors of a county sanitation district to appoint an alternate director

This bill would require the presiding officer of the governing body of a city of over 2,500,000 population, as shown by the latest federal census, to appoint the city's alternate member on the board of directors of a county sanitation district. This bill would also require the governing body of a sanitary district which has a member on the board of a county sanitation district to appoint another member as an alternate director of the county sanitation district while the regular director is absent or is unable or refuses to perform such duties

(2) Under existing law, a violation of a regulation or ordinance of a county sanitation district is a misdemeanor punishable by a fine not exceeding \$100 or imprisonment not exceeding 30 days, or both

This bill would change the amount of the fine for a violation of a regulation or ordinance of a county sanitation district to an amount not exceeding (\$1,000)

Ch. 899 (AB 3908) Keene Indian education.

Existing law authorizes the establishment of 10 California Indian education centers

This bill repeals such authorization and, instead, would authorize the establishment of 10 pilot projects in Indian education in certain rural school districts having a concentration of 10 percent or more of Indian students, for a 1-year period in grades 4 and below, to be administered by the Superintendent of Public Instruction

It also would declare legislative intent regarding scholarships for Indian students in higher education It would authorize the Student Aid Commission to appoint an advisory committee with regard to Indian students It would be operative only until June 30, 1977

The bill would also make clarifying changes in certain provisions of Chapter 277 of the Statutes of 1976

It would take effect immediately as an urgency statute

Ch. 900 (AB 3915) Chel Vehicles: lamps and safety glazing materials

(1) Existing law requires vehicles 80 inches or more in width to be equipped with clearance lamps and side-marker lamps meeting prescribed specifications

This bill would authorize combination clearance and side-marker lamps to be used in lieu of required individual clearance or side-marker lamps on such vehicles

(2) Existing law prohibits (a) the sale, offering for sale, and operation of any motor vehicle (other than a motorcycle) manufactured after January 1, 1936, unless it is equipped with safety glazing materials wherever glazing materials are used in partitions, doors, windows, windshields, or wind deflectors, and (b) the sale or offering for sale of any camper manufactured after January 1, 1968, and the operation of a motor vehicle equipped with such a camper, unless the camper is equipped with safety glazing materials wherever glazing materials are used in outside windows and doors

This bill would specify that safety glazing materials must be used wherever glazing materials are used in interior partitions and auxiliary wind deflectors on such motor vehicles, and would also require that such materials be used in openings in the roof of such a vehicle or camper and in interior partitions of such a camper

This bill would also require the use of safety glazing materials for glazing used in the windows and doors, interior partitions, and openings in the roof of any trailer coach manufactured after January 1, 1977, that is capable of being towed with a fifth-wheel device

(3) Existing law prohibits the replacement of glazing materials used in partitions, doors, or windows in any motor vehicle, and in the outside windows or doors of any camper with other than safety glazing materials.

This bill would also prohibit the replacement of glazing materials used in openings in the roof in any motor vehicle, in interior partitions and openings in the roof of any camper, and in windows, doors, interior partitions, and openings in the roof of such a trailer coach, with other than safety glazing materials The bill would make related, conforming changes regarding the use of safety glazing materials

(4) Existing law refers to specifications or requirements for safety glazing material established by the United States of America Standards Institute

This bill would substitute for such reference such specifications or requirements adopted pursuant to the National Traffic and Motor Vehicle Safety Act of 1966.

(5) This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill for a specified reason

Ch. 901 (AB 4052) Knox Stock split exemption.

Under existing law certain stock splits and reverse stock splits are exempted from qualification provisions of the Corporate Securities Law

This bill would provide for review by the commissioner when investors are materially affected in their rights to dividends or distributions, as well as in instances affecting voting rights.

The bill would also require qualification in the event the purchase of fractional shares results in a material alteration of the proportionate interests of the shareholders, irrespective of whether or not the shares are publicly traded.

Ch 902 (AB 4086) Brown. Vehicles. salvage certificates

(1) Under existing provisions of law, whenever a vehicle subject to registration is sold as salvage as a result of a total loss insurance settlement, the insurance company is required, within 10 days from settlement of the loss with the insured, to forward the endorsed certificate of ownership or other evidence of title to the headquarters office of the Department of Motor Vehicles. Upon sale of the salvage vehicle, the insurance company is required to issue a bill of sale to the purchaser within 10 days after receipt of full payment for the salvage. The department is required to accept such bill of sale in lieu of the certificate of ownership, under specified conditions. When a total loss settlement results in the retention of the salvage vehicle by the insured, the insurance company is required within 10 days from the date of settlement to notify the department of such retention.

This bill would revise such provisions by providing that whenever a vehicle subject to registration is a total loss salvage vehicle (which the bill would define) as a result of being wrecked or destroyed, the owner, or insurance company when the salvage is acquired by an insurance company as a result of a total loss insurance settlement, shall, within 10 days from the loss or settlement, forward the properly endorsed certificate of ownership or other evidence of title and a \$3 fee to the department. The bill would provide for the issuance of a salvage certificate by the department. The bill would require, prior to the sale of the salvage vehicle, that the owner comply with the above provisions, and would require that upon sale of the salvage vehicle the owner, if in possession of the salvage certificate, or immediately after receiving the certificate from the department, make proper endorsement and delivery of the salvage certificate to the purchaser upon receipt of full payment for the salvage vehicle. The bill would require that the department accept such salvage certificate in lieu of the certificate of ownership. The bill would make such provisions applicable to a vehicle which has been driven or taken without the consent of the owner thereof only after the vehicle has been recovered by the owner and only if the vehicle is a total loss salvage vehicle.

The bill would exclude from such provisions a total loss salvage vehicle if the owner retains possession and title, and the fair market value of the vehicle, immediately prior to its becoming a total loss salvage vehicle, was \$1,000 or less.

(2) The bill would also make related changes.

(3) The bill would appropriate \$126,000 to the department from the Motor Vehicle Account in the State Transportation Fund for purposes of the act, and require that such account be reimbursed during the 1976-77 fiscal year for the amount appropriated from the revenues first derived from the \$3 fees.

(4) The bill would provide that notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by the bill for a specified reason.

Ch. 903 (AB 4108) Duffy. Medi-Cal

This bill would authorize the Director of Health to continue a Medi-Cal pilot program comparing patient treatment profiles and prior authorization as controls of overutilization in Fresno County until January 1, 1979.

This bill would take effect immediately as an urgency statute.

Ch 904 (AB 4124) Montoya. Schools attendance.

Under existing law, generally, each person between the ages of 6 and 16 years is subject to compulsory full-time education. Each such person is generally required to attend the public schools in the district in which the pupil lives, and each parent, guardian, or other person having control over the pupil is required to send the pupil to such schools.

This bill would require instead that either the parent or legal guardian of any person subject to compulsory full-time education shall send [the person to] *, and the person himself shall attend, the schools in [the district in] * which the residence of either the parent or legal guardian of the person is located, as specified. This bill would provide various exceptions to such residence requirement.

This bill would provide that there are no state-mandated local costs within the meaning of Section 2231 of the Revenue and Taxation Code imposed on local governmental entities by this bill.

Ch. 905 (AB 4131) Lanterman. Conservators.

Existing law provides that a conservator for a gravely disabled person has the general powers of a conservator and additional powers as the court may designate. A report is required to be filed with the court by a county-designated officer prior to the establishment of conservatorship, including recommendations for or against imposing specified disabilities on the proposed conservatee.

This bill provides that recommendations also be made regarding the conservatee's right to refuse or consent to medical treatment, would specify the corresponding authority of the conservator to require medical treatment, and would provide for court hearings to contest such rights or authority.

Existing law provides that at any time, but not to exceed more than once each six months, a conservatee may petition the superior court for a rehearing as to his status as a conservatee.

This bill would provide instead that a conservatee may petition the superior court at any time but that after the filing of the first petition for rehearing no further petition for rehearing may be submitted for a period of six months.

Ch. 906 (AB 4222) Egeland. Unemployment insurance: classified employees.

Existing law requires school employers and funding agencies under specially funded projects to pay a certain percent of the total wages paid to classified employees into the Classified School Employees Fund for unemployment insurance purposes.

This bill would reduce such unemployment insurance tax rates to be effective during the 1976-77 fiscal year only.

The bill would take effect immediately as an urgency statute.

Ch. 907 (AB 4269) Cline. County highways: abandonment: easement of access.

Under existing law, a board of supervisors may abandon a county highway, but exempt, from the order of abandonment, easements for future public roads and for the construction, maintenance, and operation of public utilities.

This bill would provide that no such abandonment, or disposal of county highway property in such a case, would extinguish the easement of access, regardless of origin, of any parcel of land to the general system of streets and highways or would result in any parcel not having any access to a public street or highway.

Ch. 908 (AB 4271) Wornum. Vehicles: license plates, tabs, stickers.

Under existing law, tabs, stickers, or other suitable devices, which indicate the year number for which issued, are required to be attached to the license plate issued for the vehicle.

This bill would require that a tab which indicates the month of expiration of the registration of the vehicle also be attached to the license plate assigned to the vehicle.

The bill would provide that notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by the bill for a specified reason.

Ch. 909 (AB 4279) Lockyer. Unemployment insurance: elective coverage.

(1) Existing law excludes from the definition of "employment," for purposes of the unemployment compensation insurance law, service performed by the officers and director of a corporation who are the sole shareholders of the corporation and it is not subject to the Federal Unemployment Tax Act.

This bill would also exclude from such employment service by the officers and director of a corporation engaged in agriculture who are shareholders of the corporation and it is not subject to such federal act.

(2) Existing law provides that certain public and private employers electing coverage under the Unemployment Insurance Law are permitted to elect between two alternative methods of reimbursing the Unemployment Fund for benefits paid to employees of such employers.

This bill would delete the permitted reimbursement alternative of paying an amount equal to the additional cost to the Unemployment Fund of such benefits paid, based on base period wages with respect to employment for the employer.

Ch 910 (AB 4299) Keene Health facilities: renewal of licenses and special permits

(1) Present law requires application for renewal of a license for a health facility or for renewal of a special permit to provide a special service therein, to be filed with the State Department of Health not less than 10 days prior to the expiration of the license or special permit

This bill would require such renewal applications to be filed with the department at least 30 days prior to the expiration of the license or special permit

(2) Present law authorizes renewal of such a license or special permit if the holder thereof has been found not to have been in violation of any statutory requirements, regulations, or standards during the preceding license period.

This bill would instead authorize renewal where the holder of the license has been found in substantial compliance with such requirements, regulations, or standards during the preceding license period.

Ch 911 (AB 4303) Chacon Public Employees' Retirement System benefits.

The law defines "state safety service" with respect to certain state safety members as including service prior to January 1, 1976.

This bill would change that date to January 1, 1977, or the operative date of the provision, whichever date is later.

Existing Public Employees' Retirement Law provides that retirement shall not become effective or an allowance begin to accrue earlier than the first day of the month in which an application is received at the office of the board in Sacramento

This bill would permit the board to fix the effective date of retirement at an earlier date if the application is received within 4 months following separation from service and certain other conditions are met. The provision would be applicable to persons retired on and after December 1, 1975, who transmit a request for back payment to the board prior to March 1, 1977.

Ch. 912 (AB 4410) Vasconcellos. Early childhood education

Existing statutory law establishes a program of early childhood education for children up to grade 3

This bill would further describe the "intrapersonal" and "interpersonal" relationships in which the child will have received a level of competence sufficient for continued educational success, after completing the program

Ch 913 (AB 4423) Chappie Health: control of rabies and nuisances

(1) Existing law provides for the control of the spread of rabies by animals through the use of a quarantine. A guide dog serving a blind master is exempted from such quarantine, in the absence of evidence that the guide dog has been exposed to rabies, if the guide dog is confined to the premises of the master and the dog is made available at all reasonable times for examination.

The bill would also exempt from such quarantine a dog used by any state, county, city, or city and county law enforcement agency after the dog has bitten any person, if the dogbite occurred while the dog was being used for any law enforcement purpose. The law enforcement agency would be required to make the dog available for examination at any reasonable time and would be required to notify the local health officer if the dog exhibits any abnormal behavior

(2) Existing law makes any breeding place for mosquitoes, flies, or other insects upon any land a public nuisance which may be abated by an action or proceeding of a mosquito abatement district or vector control district. Existing law authorizes the district to abate such a nuisance if it is not abated within the required time and to record a lien upon the real property on which the nuisance was abated for the cost of the abatement.

This bill would authorize a mosquito abatement or vector control district to abate as a nuisance any infestation of rats and to collect costs thereof in the same manner provided for abatement of breeding places for mosquitoes, flies, and other insects

This bill would authorize a mosquito abatement or vector control district to use, as an alternative, the nuisance abatement procedures and cost assessment procedures of pest abatement districts which, among other things, provide for assessment and collection of unpaid nuisance abatement costs as taxes on county tax rolls

(3) The bill also provides there shall be no reimbursement or appropriation for costs incurred by local agencies under the bill for a specified reason.

Ch 914 (AB 4431) Rosenthal. Medi-Cal.

Under existing law the Medi-Cal program does not specify inpatient intensive rehabilitation hospital services in a general acute care hospital as a separate service within the definition of health care services and the basic schedule of Medi-Cal benefits.

This bill would include such services as a separate Medi-Cal covered service within such definitions. It would also specifically define such services.

This bill would additionally specify that payment for inpatient intensive rehabilitation hospital services be based on the lesser of reasonable costs or the hospital's customary charges.

This bill would incorporate additional changes in Section 14132 of the Welfare and Institutions Code, proposed by AB 4119, to be effective only if that bill and this bill are both chaptered and this bill is chaptered last.

Ch 915 (SB 77) Nejedly. Interconnection of energy facilities

Existing law makes no provision to specifically require transmission by public utilities of energy developed by private energy producers.

This bill would require the Public Utilities Commission, on application of a private energy producer, as defined, after making specified findings, to authorize the construction of public utility facilities to interconnect with those of the private energy producer after notice and hearing. It also would direct the commission to prescribe reasonable compensation. The bill would require the private energy producer to provide and pay the total cost of the interconnection. The bill would require affected public utilities to keep prescribed records and render reports as the commission may specify.

It would state legislative findings and declarations and define terms used in the bill.

This bill would take effect immediately as an urgency statute.

Ch 916 (SB 231) Dunlap. Elections: advisory elections

Presently, there are no provisions of law authorizing local agencies to hold advisory elections.

The bill would allow a city, county, city and county, or district to conduct an advisory election in consolidation with scheduled local elections allowing the voters within the local jurisdiction to voice their opinions on substantive issues or to indicate whether or not they approve the proposal appearing on the ballot. The results of the vote would not obligate the local agency.

Ch. 917 (SB 410) Beilenson. Blood transfusions paid donors

Under existing law there is no prohibition against the use of blood received from a paid donor.

This bill would make it unlawful, on or after July 1, 1977, in any transfusion of blood, to use any blood obtained from a paid donor unless the physician performing the transfusion has determined, taking into consideration the condition of the patient who is the recipient of the transfusion, that other blood of a type compatible with the blood type of the patient cannot reasonably be obtained for the transfusion.

This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill because of a specified reason.

Ch. 918 (SB 526) Alquist. Commission of the Californias. appropriation

The Budget Act of 1976 appropriated \$59,323 for the support of the Commission of the Californias.

This bill would appropriate \$9,660 from the General Fund to the Commission of the Californias, in augmentation of funds appropriated by the Budget Act of 1976.

Ch. 919 (SB 1468) Russell. Joint exercise of powers

Existing law provides that certain specified public entities may, pursuant to a joint powers agreement, create a public entity to exercise a power common to the parties to the agreement.

This bill would repeal an inoperative provision of law and would specifically provide

that an entity created by a joint powers agreement may authorize the issuance of revenue bonds to acquire, repair, and finance Hollywood-Burbank Airport and related facilities and improvements

Existing law provides that revenue bonds issued by a joint powers entity shall not constitute a debt, liability, or obligation of any of the public agencies who are parties to a joint powers agreement creating such entity

This bill would specify that property tax revenues accruing to, levied by, or collected by, any local agency which is a party to such a joint powers agreement shall not be used to redeem such revenue bonds unless an ordinance authorizing the use of such property tax revenues for such purposes is approved by a majority vote of the electors of the local agency voting on the issue.

The bill would prohibit the joint powers entity from authorizing any activity in conjunction with the airport which would result in an increase of the size of a specified noise impact area and would require such entity to carry out specified noise monitoring requirements

This bill would also provide that the power to issue revenue bonds pursuant to this bill terminates after December 31, 1980, unless the entity fails to accomplish the purpose of the bill by reason of litigation

The bill would take effect immediately as an urgency statute

Ch 920 (SB 1512) Dunlap Appropriations. architectural services and building acquisition

This bill would amend and supplement the Budget Act of 1976 by adding a section thereto to appropriate \$300,000, as a loan, to the Santa Rosa Community Development Commission for architectural services and project planning relating to the construction of a state office building in the City of Santa Rosa and to appropriate \$2,200,000 for acquisition of the State Compensation Insurance Fund Building in San Francisco

This bill would take effect immediately as an urgency statute.

Ch. 921 (SB 1676) Stull Schools. contracts competitive bidding.

Under existing law, school districts are required to utilize competitive bidding procedures before letting out contracts involving more than a specified amount of money

This bill would make it unlawful to split or separate a project into smaller work orders or projects in order to evade the competitive bidding requirements

This bill would also specify that it does not make an appropriation or create an obligation under Section 2231 of the Revenue and Taxation Code.

Ch 922 (SB 1709) Way Probate: appraisals

Under existing law an executor, administrator, guardian, or conservator is required to file an inventory and appraisal of an estate he is administering. If he fails to file the inventory within the required time the court may revoke his letters and he is liable on his bond for any consequent injury to the estate or person interested therein

This bill would make any damages suffered because of such a failure a charge upon the bond of the personal representative, guardian or conservator and if the bond is insufficient or if there is no bond, the damages would be a charge against the personal assets of the personal representative, guardian or conservator

Under existing law, the court is required to appoint at least one inheritance tax appraiser to make the appraisement of an estate

This bill would provide a procedure for the guardian, conservator, or any other person interested in the estate to file written objections to any or all such appraisals and permit the court to cause additional appraisals to be made and to fix the true value of any asset the appraisal of which is objected to

Presently, the executor or administrator of an estate may be required, at various times by the court, to render an account of the estate and any person interested in the estate may appear and file exceptions to the account and contest it.

This bill would specify that such exceptions may include objecting to the values of assets shown on inventories and appraisements if a certificate of no tax is filed, but that changes in valuations would not affect an order fixing the state inheritance tax, and would permit the court to issue such other orders as it deems necessary.

Under existing law the inheritance tax referee is required, upon completion of the

appraisal, to file with the superior court a written report with specified information on the property appraised

This bill would require the inheritance tax referee, upon completion of the appraisal and within 60 days of the receipt of information and documentation needed to assess the tax or to issue a certificate of no tax, to file with the clerk of the court a written report or a certification of no tax, including specified information, and would permit the court to effect compliance by the issuance of any orders necessary.

Ch 923 (SB 1747) Behr Utilities

Existing law requires the management of a mobilehome park providing master meter service of utilities to tenants to use a specified standard method of billing tenants and to post in a conspicuous place the prevailing residential utility rate schedule as published by the serving utility

This bill would specify that the above requirements shall be applicable to those mobilehome parks which submeter their master meter service of utilities to tenants

Existing law makes no specific provision for a differential between the rate charged to a master meter service consumer by a serving utility and the rate charged submetered consumers by the master meter service consumer

This bill would require the Public Utilities Commission to require an entity providing gas or electricity, or both, through a submeter service system, whether such entity is a mobilehome park, apartment house, or similar establishment, to charge the user of submetered service at the same rate which would be applicable if the user were receiving such gas or electricity, or both, directly from the serving utility This bill would require the commission to require such serving utility to establish uniform rates for each service schedule area for master meter service at a level which will provide a sufficient differential to cover the reasonable average costs to master meter customers of providing such submeter service, provided that such costs shall not exceed the average cost that the serving utility would have incurred in providing comparable service beyond the master meter to the submeter tenants.

This bill would make certain legislative findings and declaration regarding the provisions of the bill This bill would take effect immediately as an urgency statute

Ch. 924 (SB 1855) Mills. Public Utilities Commission rail transit

Under existing law, the Southern California Rapid Transit District, the San Francisco Bay Area Rapid Transit District, and the Santa Clara County Transit District are subject to the regulations of the Public Utilities Commission relating to safety appliances and procedures

This bill would require the commission to adopt rules and regulations, which would become effective on July 1, 1977, relating to safety appliances and procedures for rail transit services operated at grade and in vehicular traffic The commission would be required to submit the proposed rules and regulations to the Legislature not later than April 1, 1977

The bill also would provide that there are no state-mandated local costs in the bill which require reimbursement under Section 2231 of the Revenue and Taxation Code for a specified reason.

Ch 925 (SB 1902) Behr. Stinson Beach County Water District

Existing provisions of law under which the Stinson Beach County Water District is organized and operates vests in the district enumerated powers useful and necessary to carry out the purposes of the district. Such powers include the acquisition, construction, and operation of sewage treatment facilities, but do not empower the district to correct or prevent pollution or contamination of the waters of the district

This bill would empower the Stinson Beach County Water District to carry on investigations, examinations, and tests of all kinds of the waters within and without the district, to require dischargers of pollutants, waste, or other materials into the ground and surface waters of the district to obtain permits for such discharges from the district, to charge fees for such permits, to enjoin such discharges; to prevent or abate pollution or nuisance caused by such discharges, and to recover costs of such abatements from dischargers by civil suit The bill would also provide that such recovery and costs of such abatement would also be a lien on certain real property and collectible in the same manner as district taxes are collected

The bill would also empower the district to treat any of the waters in the district by physical, chemical, or biological processes for reclamation of waters for the beneficial use within the district or for storage, discharge, or disposal in accordance with water quality specifications

The bill would also require the district to exercise the aforementioned powers promptly and effectively in a manner appropriate for achieving specified objectives regarding water quality and use.

The bill would also empower the district to adopt regulations and would require the district to secure compliance with any federal, state, regional, or local law or regulation relating to water quality and water pollution. A violation of the regulations of the district would be a misdemeanor punishable by a fine not to exceed \$500, imprisonment not to exceed 60 days, or both.

The bill would make no appropriation nor create any obligation for the reimbursement of any local agency for any costs incurred by it pursuant to the bill for a specified reason

Ch 926 (SB 2121) Behr Schools: employees retirement: consultancy contracts.

Under current law, school districts may employ persons for certain special projects pursuant to contracts and a person retired under the State Teachers' Retirement Law may accept certain school district employment without losing status as a retiree

This bill would permit governing boards of school districts to award consultancy contracts to retired certificated employees of school districts who have been employed by the district for at least 10 years and who are at least 55 years of age. This bill would also permit such contracts to be renewed on an annual basis for up to 5 years or until the employee reaches age 65, whichever comes first

Ch 927 (SB 2144) Greene. Real property loans.

Presently the Constitution limits the rate of interest which may be charged by nonexempt lenders on any loan or forbearance of money, goods or things in action to not more than 10% per annum.

A proposed amendment to the Constitution would provide that the maximum contract rate of interest collectible by a nonexempt lender for loans, forbearances of money, goods or things in action for personal, family or household purposes shall be 10%. For any loan or forbearance of any money, goods or things in action for any other use, the interest rate shall be the higher of 10% per annum or 7% per annum plus the rate prevailing on the 25th day of the month preceding the earlier of (i) the date of execution of the contract to make the loan or forbearance, or (ii) the date of making the loan or forbearance established by the Federal Reserve Bank of San Francisco, on advances to member banks or the closest counterpart of such rate designated by the Superintendent of Banks

This bill would make a conforming change in the provisions relating to real property loans negotiated by a real estate licensee, to be effective only if Senate Constitutional Amendment No. 40 appears on the November 2, 1976 ballot and is approved by the voters and if Assembly Bill No. 2159 is chaptered

Ch 928 (AB 2842) Chimbole Subdivision Map Act

1 Existing law provides that whenever a local ordinance regulates the design and improvement of subdivisions of less than 5 lots, such regulations shall be limited to the dedication of rights-of-way, easements and the construction of reasonable offsite and onsite improvements

This bill would require that such improvements be noticed on the parcel map, the instrument waiving the parcel map, or by separate instrument on or before the time such instrument is filed for record and would require that the actual improvements be completed prior to issuance of a further development permit. The bill would authorize a local agency to require that the improvements be completed within a reasonable time following approval of the parcel map if certain findings are made.

2 Existing law defines subdivision as the division of any improved or unimproved land, shown on the latest equalized county assessment roll as a unit or as contiguous units, for the purpose of sale, lease or financing whether immediate or future

This bill would provide that nothing in the above definition would prevent the sub-

division of a unit of land even though at the time of the prospective subdivision an equalized county assessment roll has not been prepared reflecting the creation of the unit proposed to be subdivided. The bill would also provide that notwithstanding the above definition 2 parcels validly created under the Subdivision Map Act shall not merge merely because they are owned by the same person with certain exceptions

3 Existing law provides that where no tentative or final map is required a parcel map shall be required, with specified exceptions, unless waived pursuant to a local ordinance after the legislative body or advisory agency makes a finding that the proposed division of land complies with specified requirements.

This bill would amend existing law by requiring local agencies to adopt a procedure to waive the parcel map upon finding that the proposed division complies with such requirements as may have been established by the Subdivision Map Act or local ordinance enacted pursuant thereto. The bill would add to the exceptions from parcel map requirements, land conveyed to a public agency, or land conveyed to a public utility, or subsidiary, for rights-of-way.

Existing law requires a certificate, signed and acknowledged by all parties having any record title interest in the real property subdivided consenting to the preparation and recording of the final map, with certain exceptions, provided that their names and nature of their interest are stated on the final map. One of the exceptions and thus one of the parties whose signature is not required by existing law, is an owner of an interest in or rights to minerals, including but not limited to oil, gas or other hydrocarbon substances, if (1) a right of surface entry is not owned and (2) use of the land to develop such interest is prohibited by local zoning ordinances, provided that a local agency may require such signatures

This bill would amend the above provision to the effect that the signature of an owner of mineral rights is not required if their names and the nature of their respective interests are stated on the final map. The bill would also require the signature of either trustees or beneficiaries under trust deeds and provide that the signature of either constitutes a subordination of the lien of the deed of trust to the map and any interest created by the map

Existing law requires the signature of public entities or utilities who own easements but a procedure is provided to record the map without their signature.

This bill revises that procedure. This bill would also provide that where the map is being prepared for a division of four or less parcels and no dedications or offers of dedications are required, the certificate need be signed by the subdivider only

4 Existing law provides that a city or county which approves development of real property previously divided or resulting from a division in violation of the provisions of the Subdivision Map Act or local ordinances enacted pursuant thereto, may impose such additional conditions as would have been applicable to the division of the property at the time the current owner of record acquired the property

This bill would provide, instead, that in such a case the city or county may impose those conditions that would have been applicable to the division of the property at the time the current owner of record acquired the property, and which had been established at such time by this division or local ordinance enacted pursuant thereto, except that if a conditional certificate of compliance has been filed for record only such conditions stipulated in that certificate shall be applicable

5 Existing law provides that a local agency may issue a certificate of compliance, to the effect that the real property complies with the Subdivision Map Act and local ordinances adopted pursuant thereto, upon any landowner's request after making the required determinations.

This bill would, in addition, provide for a conditional certificate of compliance and provide that such certificate shall serve as notice to the affected parties and transferees that certain conditions must be met

6. Existing law requires a local agency to cause to be recorded a notice of violation for any property that has been divided in violation of the provisions of the Subdivision Map Act or local ordinances adopted pursuant thereto

This bill would amend this provision to provide for, in addition, a tentative notice of violation, procedures for filing a release thereof and to give the owner of such real property notice of the local agency's intent to file such a notice of violation and an opportunity to be heard in opposition thereto

7 This bill would also provide that no appropriation is made and the state shall not reimburse local agencies for costs incurred by them pursuant to this bill for a specified reason

This bill would incorporate additional changes in Section 66445, Government Code, proposed by Senate Bill No. 1806, to be effective only if Senate Bill No. 1806 and this bill are both chaptered and become effective on or before January 1, 1977, and this bill is chaptered last.

Ch 929 (AB 3045) Suitt. Fiscal procedures of local agencies

Existing law provides that any state entity which allocates funds to any school district on the basis of the assessed valuation of property within the district, or which makes any computation on such basis for school building fund repayment purposes shall modify such valuation by applying a 3-year-average factor to such valuation.

This bill authorizes the use of the preliminary factor for the current year, in specified circumstances, in determining the 3-year-average factor to be used to modify the locally assessed valuation of a school district for allocating equalization aid, and for computing loan repayments to the state.

Existing law requires that on the first day of each month, county officers who have received fees shall add the amount of fees received, and set down the totals, which shall be open to public inspection during office hours.

This bill would authorize the supervisors of a county using a mechanized management reporting system in reporting information for a uniform 4-week period to provide by ordinance for such totaling of fees on a corresponding uniform 4-week period

Existing law requires the county auditor to allocate to each city, district and revenue district which lost tax revenues due to the business inventory tax exemption those funds received from the State Controller under authority of a specified code section.

This bill would change the code section cited as such authority.

Existing law requires the county board of supervisors to fix the rate of property tax for aircraft and to levy such tax on or before September 1 of each year.

This bill would, instead, require such board to fix and levy such tax on or before the time of levying county property taxes

Ch 930 (AB 3115) Kapiloff Home insulation assistance program

Existing law directs the Public Utilities Commission to permit any electrical or gas corporation under its jurisdiction to institute a home insulation assistance and financing program under such requirements as the commission may impose pursuant to which a customer who is an individual and the owner or mortgagor of a residential dwelling and who is not in arrears in any payment due the corporation may apply to the corporation to arrange for the furnishing of a licensed contractor to perform the necessary work.

This bill would delete the requirement that the customer be an individual. This bill would provide instead that to qualify for financing, the customer must meet credit criteria established by the electrical or gas corporation as approved by the Public Utilities Commission

Existing law requires all attic insulation installations to meet or exceed requirements applicable at the time of installation for newly constructed residences. This bill would revise this requirement to require such installations to meet or exceed requirements applicable at the time of installation or as may be established for existing residential structures

Under existing law, the corporation can require an initial payment with the balance due in installments during a 36-month period following completion and inspection of the work. This bill deletes the inspection date from such period and authorizes such payment by acceptable credit card

Existing law authorizes, as an alternative procedure, an electrical or gas corporation to conclude financial arrangements with 2 or more lending institutions. This bill would change it to 1 or more. The alternative procedure presently requires repayment by the customer through the corporations' regular utility bill. This bill would make repayment in such manner optional with the corporation. The alternative procedure presently requires an initial payment of 20% by the customer. This bill would delete such provision and would specify that acceptable credit cards may be utilized in lieu of all other provisions

Existing law restricts advertising of the program to \$0.30 per year per residential customer.

This bill would delete this limitation.

Ch. 931 (AB 3391) Lewis. County highways' financial aid

Under existing law, specified apportionments are made from the net revenues derived from 1.625 cents per gallon tax under the Motor Vehicle Fuel License Tax Law (gas tax) to the counties for engineering costs and administrative expenses, snow removal, and rainfall and storm damage. Seventy-five percent of the net revenues is apportioned to the counties on the basis of their proportionate vehicle registrations, with an additional apportionment being made to a county, if its apportionment would otherwise be less than \$42 per month per mile of county-maintained road, to bring its apportionment up to that minimum. Any remaining revenues, after the above apportionments, are allocated to the counties on the basis of their proportionate vehicle registration.

Vehicle registration, for purposes of apportioning the net revenues derived from 1.625 cents per gallon gas tax, is determined at the time the vehicle is registered (when the registration fees are paid).

This bill would instead base the vehicle registration for such purposes as reflected in the records of the Department of Motor Vehicles on the last Friday of each calendar month. Thus, the vehicle registration for a county would reflect current vehicle registration rather than the vehicle registration at the time vehicle registration fees are paid.

Ch. 932 (AB 3664) Briggs. Orange County Flood Control District

Existing law provides for the Orange County Flood Control District with enumerated powers useful and necessary to carry out the purposes of the district. Such powers include the powers to monitor, test, or inspect the waters in the district for quality, but do not empower the district to correct or prevent pollution or contamination of the waters in the district.

This bill would empower the district to carry on investigations, examinations and tests of all kinds on the waters in the district, to require dischargers of pollutants, waste or other materials into the district facilities to obtain permits for such discharges from the district, to charge fees for such permits, and, where a federal permit has been issued, to issue such a permit at no fee.

The bill would also empower the district to establish compliance with any federal, state, or local law, order, regulation, or rule relating to water pollution or the discharge of pollutants, waste, or any other material into the district's facilities.

The bill would also empower the district to treat any of the waters in the district by physical, chemical, or biological processes for reclamation of waters for the beneficial use within the district or for storage, discharge, or disposal in accordance with water quality specifications.

The bill would also empower the district to adopt and enforce regulations to carry out the purposes of the district and would authorize the district to abate as a public nuisance violations of such regulations and to assess costs of such abatement to the violator, and would provide that if the violation is maintained on real property in which the violator has a fee title interest, such assessment would be a charge on such property. The assessment would be collectible in the same manner as district taxes are collected. The bill would also make violation of regulations of the district misdemeanors punishable by fine not to exceed \$500, imprisonment not to exceed 60 days, or both.

The bill would make no appropriation nor create any obligation for the reimbursement of any local agency for any costs incurred by it pursuant to this bill for a specified reason.

Ch. 933 (AB 3701) Papan. Bank holding companies

No provision of existing law authorizes the State Superintendent of Banks to require reports from bank holding companies, or to subject such holding companies to examination.

This bill would do so.

Ch. 934 (AB 3883) Fazio Vehicles: license plates; occupational licensing

(1) Under existing law, every person is prohibited from transporting a motor vehicle outside the United States without having first surrendered the vehicle's license plates to the Department of Motor Vehicles, if the vehicle is to be reregistered or sold

This bill would prohibit any occupational licensee from delivering any vehicle following sale without first removing all license plates when it is known by the licensee that the vehicle is to be exported to a foreign jurisdiction outside the United States

(2) Existing law does not specifically provide when and in what form an automobile dismantler or a vehicle salesman, whose license has been revoked, may reapply for a license.

This bill would provide that an automobile dismantler or a vehicle salesman may reapply for a license only after 1 year has elapsed from the date of the decision revoking the license or denying the application, except that if the decision was based upon certain grounds, as specified, an earlier reapplication would be permitted to be made if accompanied by evidence satisfactory to the department that such grounds no longer exist.

(3) Existing law also provides that a person whose application has been denied for a license to operate as a vehicle manufacturer, manufacturer branch, distributor, distributor branch, transporter, dealer, or representative may reapply for such license 1 year after the date of filing of such denial except that if the decision was based upon certain grounds, as specified, an earlier application would be permitted to be made if accompanied by evidence satisfactory to the department that such grounds no longer exist.

This bill would revise such provisions by specifying that such a person whose license has been revoked or whose application has been denied may reapply after a period of not less than 1 year has elapsed from the effective date of the decision revoking the license or denying the application. The bill would also add additional grounds under which a person may reapply for a license earlier than such 1-year period.

(3.5) Existing law provides that commencing July 1, 1976, every applicant for a mobilehome dealer's or salesman's license shall pass a written examination prepared and administered by the department

This bill would provide that no person who, on July 1, 1976, held a then valid salesman's license, and who has continuously for the same employer been a salesman of mobilehomes, and that no person who, on July 1, 1976, held a then valid dealer's license and who has continuously without lapse been a mobilehome dealer, shall be required to take such examination, regardless of whether such dealer subsequently makes an application to do business under a different name or form of business organization, unless the person is a salesman applying for a mobilehome dealer's license. The bill would also provide that if the applicant for a dealer's license is a corporation, only those persons who will participate in the direction, control, or management of the sales operations of the business, or who act as vehicle salesmen, shall be required to take the examination. If, however, no officer or director is required to take the examination, the corporation would be required to designate and maintain a responsible managing employee who is a licensed vehicle salesman and who would be required to take the examination for a mobilehome dealer's license, before a dealer's license may be issued

(4) The bill would make related changes and technical, conforming changes.

(5) The bill would provide that notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by the bill for a specified reason

Ch 935 (AB 3979) Badham. Vehicles: registration: identification: fees

(1) Under existing provisions of law, the Department of Motor Vehicles may, upon payment of the vehicle license and registration fees due, waive vehicle license and registration fee penalties when a transferee of a vehicle applies for transfer of registration and it is determined by the department that the penalties accrued prior to the purchase of the vehicle, and that the transferee was not cognizant of the nonpayment of the fees

This bill would authorize the department also to waive, under such circumstances, vehicle license and registration fees and identification fees for any years that are unpaid and due, upon payment of the current year vehicle fees

(2) Existing law provides that vehicle registration and license fees, and any penalty added thereto, constitute a lien upon the vehicle for which they are due and establishes

procedures for seizure and sale of the vehicle by the department to satisfy the lien

This bill would authorize the department, if the waiver specified in paragraph (1) is made, to collect such fees and penalties and vehicle identification fees and penalties in an appropriate civil action against the transferor of a vehicle who did not pay such fees and penalties when they became due for the vehicle and who no longer owns the vehicle

(3) Existing law provides that whenever, by reason of the theft or embezzlement of a vehicle, the owner or legal owner is not in possession of the vehicle at the time penalties accrue for failure to obtain registration or renewal of registration, such owner or legal owner may secure registration or renewal within 20 days after recovery of the vehicle, without penalty for delinquent payment, if the theft or embezzlement had been reported, and if the owner files a written certificate, as specified

This bill would, instead, provide that no fees or penalties imposed under the Vehicle Code or the Revenue and Taxation Code shall accrue due to the operation of a vehicle in conjunction with the theft or embezzlement of the vehicle if the owner or legal owner submits a written certificate setting forth the circumstances of the theft or embezzlement and certifies that the theft or embezzlement of the vehicle has been reported

(4) Under existing provisions of law, a person who has been issued environmental license plates for a vehicle may retain the plates, without renewing the registration of the vehicle, if such person pays an annual fee of \$10. In addition, a person who sells, trades, or otherwise releases ownership of a vehicle for which environmental license plates have been issued, is required to surrender such plates to the department unless the person transfers the plates to an acquired vehicle.

This bill would permit either person described above to retain the plates for up to one year upon payment of the \$10 fee. The bill would specify that such \$10 fee shall be due at the expiration of the registration year of the vehicle to which the environmental license plates were assigned

(5) The bill would make related changes.

Ch 936 (AB 4173) Sieroty. Antique slot machines

Existing law does not expressly exempt antiques from criminal prohibitions re slot machines.

This bill would create a defense to such a prosecution, including prosecutions for acts committed prior to its effective date, as to specified antique slot machines.

The bill would take effect immediately as an urgency statute

Ch 937 (AB 4190) Vicencia. Automobile dismantlers and scrap metal processors

Existing law defines an automobile dismantler for purposes of the Vehicle Code and regulates the activities of such dismantlers. Existing law provides that the owner of a steel mill, scrap metal processing facility, or similar establishment that purchases vehicles solely for the purpose of reducing them to their component materials is not subject to automobile dismantler licensing requirements, and provides that the facility shall obtain a certification by the person from whom the vehicle is obtained that the vehicle has been cleared for dismantling by the Department of Motor Vehicles

This bill would require such a steel mill, scrap metal processing facility, or similar establishment to obtain from a person, other than a licensed dismantler or an independent hauler who obtained the vehicle, or parts thereof, from a licensed dismantler from whom a vehicle is acquired, either a receipt issued by the department, showing that the vehicle was cleared for dismantling, or a copy of the abatement ordinance or order for such vehicle issued by a local authority. The bill would also require such an establishment to attach the form evidencing clearance or abatement to the certification required and retained pursuant to such provisions. The bill would make it a misdemeanor to fail to comply with such requirements. The bill would also recast the provisions defining automobile dismantlers and would make other conforming changes

The bill would provide that notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by the bill for a specified reason

Ch 938 (AB 4315) Brown Educational opportunity grants.

Under the California State University and Colleges Educational Opportunity Program, state grants of up to \$700 per year are made available to disadvantaged undergraduate students. Such grants may be renewed until the student has received a baccalaureate degree or has completed 4 academic years, whichever occurs first.

This bill would increase the maximum amount of such grants to \$1,000 per year, and would extend the permissible period of renewal to 5 years.

This bill would generally require applicants for a grant to also make application for an educational grant under a specified federal program.

It also would take effect immediately as an urgency statute.

Ch 939 (AB 4329) Brown Highway Patrol equipment; appropriation.

Under existing law, the Department of the California Highway Patrol has not been appropriated money specifically for purposes of purchase and supply to patrolmen of certain safety and police protective equipment.

This bill would appropriate \$762,000 from the Motor Vehicle Account in the State Transportation Fund to the department for purchase of such equipment.

The bill would take effect immediately as an urgency statute.

Ch. 940 (AB 4355) Sieroty Parental custody and control

Existing law provides that an action may be brought for the purpose of having any person under the age of 18 years declared free from the custody and control of his or her parents if the parent or parents are convicted of a felony, if the felony of which such parent or parents were convicted is of such nature as to prove the unfitness of such parent or parents to have the future custody and control of the child, or if any term of sentence of such parent or parents is of such length that the child will be deprived of a normal home for a period of years.

This bill would provide instead that such action may be brought when one or both parents are convicted of a felony, if the facts of the crime are of such a nature as to prove unfitness of such parent or parents to have the future custody and control of the child. It would delete authority for such an action where such parent or parents are sentenced to a term of such length that would deprive the child of a normal home for a period of years.

This bill would also make additional changes in Section 232, Civil Code, proposed by SB 1385, to be operative only if SB 1385 and this bill are both chaptered, and this bill is chaptered after SB 1385.

Ch. 941 (AB 4417) Kapiloff Fetal experimentation

Present law prohibits prescribed study or experimentation using fetuses, unless lifeless, and present law also requires disposal of recognizable dead human fetuses of less than 20 weeks uterogestation by interment or incineration.

This bill would require prompt interment or incineration of fetal remains at the conclusion of any scientific or laboratory research or any other kind of experimentation, or study upon such fetal remains and would require storage of such fetal remains in a place not open to the public in a manner which will not create a health hazard. Violation of the bill would be a misdemeanor. The bill would specifically except public or private educational institutions from the provisions of the bill.

This bill would provide that there would be no appropriation to local agencies nor reimbursement of costs incurred by them pursuant to this bill because of a specified reason.

Ch 942 (AB 4447) Burke Mineral deposits terms of lease.

Existing law authorizes the State Lands Commission to lease state lands containing commercially valuable deposits of minerals other than oil and gas that are held under a prospecting permit. Such leases are based on a royalty specified by the commission in the permit and an annual rental of \$1 per acre. Leases are awarded by competitive bidding under general regulations of the commission.

This bill would, instead, require that such leases provide for payment of an annual rental of not less than \$1 per acre as determined by the commission and payment of either a royalty of not less than 10% of the gross revenue received from the sale of

mineral products, less certain charges, or a percentage, to be determined by the commission, of the net profits derived from mineral extraction operations under the lease. The particular payment formula would be specified in the permit. The bill would also specify various bid factors required to be used in competitive bidding for leases. The bill would make various technical and conforming changes.

Existing law specifically provides that the commission shall issue a prospecting permit, under such rules and regulations as the commission may prescribe, for state lands which are not known mineral lands to qualified applicants under specified conditions.

The bill would, instead, specifically provide that the commission may issue such permit to a qualified applicant, under such specified conditions.

This bill would take effect immediately as an urgency statute.

Ch. 943 (SB 1554) Garcia. Boxing contests

Existing law prohibits persons from conducting or attending a boxing exhibition held on Memorial Day, May 30, or on a Sunday.

This bill would remove such prohibition.

Ch. 944 (SB 1729) Zenovich. Madera Irrigation District: property assessments

Existing law provides for determination of assessed value of real property for levy by irrigation districts for district revenue. Existing law permits irrigation districts to use county assessment rolls and collection of district assessments by the county as an alternative means to collection by the district and to dispense with either the office of assessor or both the offices of assessor and collector of the district. Existing law requires the county assessment of open space land based on the Williamson Act to be assessed in accordance with a specified procedure considering its use as agricultural land and based upon capitalized annual income.

This bill would, with regard to the Madera Irrigation District, require the county, upon request of the irrigation district, to prepare a supplemental ~~assessed~~ [assessment] * roll of assessed values for lands which are within the irrigation district and which are presently assessed as open-space lands based on the Williamson Act for county purposes. Such supplemental ~~assessed~~ [assessment] * roll would be required to be based on fair market value and the county would be required to use such supplemental assessment roll for district assessments made by the county.

The bill would also require that if the irrigation district requested such additional assessment it would be required to reimburse the county for any increased cost incurred by the county for making such additional assessment.

The bill would also permit the Madera Irrigation District to dispense with either the office of the assessor or the office of the collector of the district.

The bill also states legislative findings regarding special circumstances in the Madera Irrigation District.

The bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section, nor any appropriation made by the bill for a specified reason.

Ch. 945 (SB 2199) Collier. Schoolbuses

(1) Existing law, including administrative regulations adopted by the State Board of Education, provides detailed provisions concerning the equipment, use, and operation of schoolbuses.

Administrative regulations provide that a person shall not be employed by, or act as a schoolbus driver for, any school district or any other party transporting public school pupils unless such person holds a valid driver's license of appropriate class and a schoolbus driver's certificate issued by the Department of Motor Vehicles.

The term "schoolbus" on and after January 1, 1977, is defined as any motor vehicle operated and designed in a specific manner which is used for the transportation of any school pupil at or below the 12th-grade level to and from a public or private school or to and from public or private school activities, except, among other vehicles, a motor vehicle operated by a common carrier, or by and under exclusive jurisdiction of a publicly owned transit system, on scheduled runs but not used exclusively for the transportation of school pupils. In effect only until January 1, 1977, the definition of schoolbus instead excludes such motor vehicles operated by a common carrier or publicly owned transit system and which are available to the general public.

This bill would require after January 1, 1977, that schoolbus drivers and persons transporting pupils exclusively, except as specified, to or from a public or private school activity for common carriers or publicly owned transit systems possess a valid California schoolbus certificate. Technical changes in the definition of "schoolbus" would also be made, effective after such date.

(2) Existing law requires the Department of the California Highway Patrol to inspect every schoolbus at least annually to ascertain whether its construction, design, equipment, and color comply with provisions of law. In addition, no person shall drive a schoolbus unless there is displayed a certificate issued by the Department of the California Highway Patrol within 13 months of the date of operation stating that the bus complies.

This bill would provide for comparable inspection and certification requirements, commencing January 1, 1977, to be made by the Department of the California Highway Patrol for every vehicle used to transport pupils exclusively, except as specified, to or from a public or private school activity which is operated by common carriers or publicly owned transit systems.

This bill would require the State Board of Education, by regulation commencing January 1, 1977, to provide for a preventive maintenance inspection guide [for weekly use by operators] * of schoolbuses and specified vehicles transporting school pupils.

This bill would appropriate specified amounts from the Motor Vehicle Account in the State Transportation Fund to the Department of the California Highway Patrol and the Department of Motor Vehicles and a specified amount for the 1976-77 fiscal year from the Driver Training Penalty Assessment Fund to the General Fund and from the General Fund to the Department of Education for various specified purposes of this bill.

This bill would go into effect immediately as an urgency statute.

Ch. 946 (SB 1811) Rodda. Schoolbus; definition.

Existing law defines a schoolbus through January 1, 1977, as any motor vehicle operated and designed in a specific manner which is used for the transportation of any school pupil at or below the 12th-grade level to and from a public or private school or to and from public or private school activities, except, among other vehicles, a motor vehicle operated by a common carrier, or by and under exclusive jurisdiction of a publicly owned transit system, on scheduled runs and which are available to the general public. After January 1, 1977, the definition of schoolbus is restated to exclude such motor vehicles operated by a common carrier or publicly owned transit system on scheduled runs but not used exclusively for the transportation of school pupils.

This bill would make the definition of schoolbus applicable through January 1, 1977, applicable after that date as well, thereby deleting the definition to be used after such date.

This bill would also incorporate additional changes to Section 16851 of the Education Code and Section 545 of the Vehicle Code proposed by Senate Bill No. 2199, contingent upon the enactment of Senate Bill No. 2199.

Ch. 947 (AB 1248) Alatorre. Criminal convictions.

With respect to occupations and professions regulated under the authority of the Business and Professions Code, existing law provides that the regulatory board may deny a license on the ground that the applicant has been convicted of a crime. This bill provides that no person shall be denied a license solely on the basis that he has been convicted of a crime if he has obtained a certificate of rehabilitation under Section 4852.01 and following, of the Penal Code, and if his probation has been terminated and the information or accusation has been dismissed pursuant to Section 1203.4 of the Penal Code.

With respect to occupations regulated under the authority of the Labor Code, there is no specific provision of law which provides that a license may be denied a person convicted of a crime. This bill provides that a first time applicant for a license regulated under the Labor Code shall not be denied a license on the basis of a conviction of a crime if he has received a certificate of rehabilitation, and his probation has been terminated and the information or accusation has been dismissed.

With respect to applicants for teacher's credentials, existing law provides that persons convicted of specified sexual offenses and narcotics offenses shall be denied licenses.

irrespective of whether a termination of probation and dismissal of an accusation or information has been made pursuant to Section 1203.4 of the Penal Code. This bill provides that no person shall be denied a hearing or credential solely on the basis that he has been convicted of a crime if he has obtained a certificate of rehabilitation under Section 4852.1 and following of the Penal Code, and if his probation has been terminated and the information or accusation has been dismissed pursuant to Section 1203.4 of the Penal Code. With respect to credentials for community colleges, this bill provides that no person shall be denied a credential solely on the basis that he has been convicted of a specified sexual or narcotics offense if he has obtained or applied for a certificate of rehabilitation, and if his probation has been terminated and the information or accusation has been dismissed.

Ch. 948 (AB 2180) Maddy. Attachment and execution: exemptions

Existing law exempts specified pension, annuity, retirement, disability or death benefits held, controlled, or in process of distribution by public entities or private retirement plans from execution, attachment, or garnishment.

Existing law provides that the exemption does not apply to any moneys held in or received from any retirement program established pursuant to the federal "Self-Employed Individuals Tax Retirement Act of 1962."

This bill would delete the specific exception to the exemption for money held in a retirement program under the above federal act and would, with the exception of moneys withheld for unemployment insurance purposes and of court-ordered child support payments, exempt moneys held in any self-employed retirement plan and any individual retirement annuity or account provided for in the federal "Employee Retirement Income Security Act of 1974."

Ch. 949 (AB 2445) McVittie. Silicone.

Existing law does not specifically prohibit the use of liquid silicone for medical purposes.

This bill would make it a misdemeanor for any person to knowingly prescribe, dispense, administer or furnish liquid silicone for the purpose of injecting such substance into a human breast or mammary. The bill would also provide that such use constitutes unprofessional conduct within the meaning of the Medical Practice Act.

The bill provides that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the act.

Ch. 950 (AB 2782) Greene. Sacramento City Unified School District

Under existing law, the Charter of the City of Sacramento provides for a 7-member board of education for the Sacramento City Unified School District, a city school district.

This bill would provide that if the Charter of the City of Sacramento is amended so that it no longer provides for a board of education, a new board of education composed of seven members is created immediately upon the effective date of such amendment.

This bill would also provide that the manner in which, the times at which, and the terms for which the members of the new board of education are elected or appointed, and their qualifications, compensation, and removal, shall be governed under general law; except that, the members of the board in office on the effective date of the charter amendment would each continue in office until the first day of April next succeeding the year in which their respective terms of office would otherwise have terminated.

Ch. 951 (AB 2954) Arnett. Bulletproof vests.

The existing law does not require the Commissioner of the California Highway Patrol to make bulletproof vests available to law enforcement personnel, while engaged in enforcement activities.

This bill would require the commissioner to make specified bulletproof vests available to certain state law enforcement personnel while engaged in enforcement activities and would provide that such equipment shall remain the property of the agency which furnishes it. The Commissioner of the California Highway Patrol would be authorized to furnish such vests to the remainder of his personnel. The bill would require that bulletproof vests be approved pursuant to specified standards, and places approval authority in the California State Department of Justice.

The bill would also require that the bulletproof vests be purchased by the Department of General Services based upon written requests from the California Highway Patrol. The Department of General Services would be authorized to define "enforcement activities" and prescribe standards for replacement of the vests.

This bill would require the Department of General Services to make certified bulletproof vests available to certain peace officers of the State Police and Department of Justice.

This bill would also provide for an appropriation of \$25,000 from the General Fund to the Department of General Services for the purchase of bulletproof vests for the State Police.

This bill also makes additional changes proposed by AB 3272 to be operative only if AB 3272 and this bill are both chaptered and become effective on January 1, 1977, and this bill is chaptered after AB 3272.

Ch. 952 (AB 3050) Sieroty. Marijuana: records.

(1) Under existing law, superior courts, as specified, are required to order the destruction or obliteration, as prescribed, of records of courts and public agencies of convictions for possession of marijuana, and arrests for possession of marijuana not followed by conviction, occurring prior to January 1, 1976, upon presentation of a petition by the person subject to such arrest or conviction and payment by such person of the costs of destruction, not exceeding \$50, and are required to destroy such court order.

This bill would revise the list of records of convictions or arrests not followed by conviction which occurred prior to January 1, 1976, which are subject to destruction or obliteration. For such pre-1976 records, the bill would delete published appellate judicial reports and written transcriptions of oral testimony in court proceedings. For such pre-1976 records, the bill would delete the provisions for petition to and order of the specified superior court for destruction of such records to each court of this state, state agency, and local public agency having records pertaining to the arrest or conviction. For such pre-1976 records, the bill would provide for destruction by the Department of Justice of the records of the department and the application by a revised, prescribed procedure and would require the department to provide notice of the application to the Federal Bureau of Investigation and the law enforcement agency which arrested the applicant. In the event the applicant was convicted, the bill would require the department to provide notice of the application to the probation department which investigated the applicant and to the Department of Motor Vehicles. The bill would require the state and local agencies receiving such a notice to destroy records of such agency pertaining to such arrest or conviction and the department notice by the revised, prescribed procedure.

The bill would require an application for such record destruction to be accompanied by a fee of not more than \$37.50 to defray the costs of destruction by the department, and, upon abandoning such application, would provide for partial refund of such fee, as specified.

The bill would also apply these provisions to records of arrests or convictions occurring prior to January 1, 1976, for possession of marijuana paraphernalia, for knowingly being present where marijuana is being smoked or used, or being under the influence of marijuana.

(2) Under present law, specified records of convictions and arrests not followed by conviction occurring on or after January 1, 1976, for possessing, giving away, offering to give away, transporting, offering to transport, or attempting to transport one ounce or less of marijuana, other than concentrated cannabis, are required to be destroyed within 2 years from the date of such arrest or conviction.

This bill would delete records of publicly funded agencies and client funded agencies and programs from, would exempt published appellate judicial reports from, and would include specified records of public and private agencies providing services upon referral under Section 1000.2 of the Penal Code in, such requirement. This bill would also provide that no such records could be destroyed until any civil suits arising from the arrest have finally been resolved.

(3) Under existing law, a person arrested for or convicted of various specified marijuana offenses is not authorized to state he has not been arrested or convicted for such offense when responding to questions concerning a prior criminal record.

This bill would allow the person to so state 2 years after the arrest or conviction.

(4) Under existing law, an employer is prohibited from asking an applicant for employment to disclose information concerning an arrest which did not result in a conviction.

This bill would prohibit an employer from inquiring, in addition, about convictions of specified marijuana offenses more than two years old.

(5) The bill would also make related findings and changes and would specify that no appropriation is made for reimbursement of local agency costs for a specified reason. However, the bill would require reimbursement of specified local costs incurred thereunder.

Ch. 953 (AB 3159) Duffy Physician's assistants.

Existing law provides that an applicant for a physician's and surgeon's certificate must pass a written examination in specified subjects

This bill requires the Board of Medical Quality Assurance to issue a physician's and surgeon's certificate, without a written examination, to anyone who meets specified requirements, including, being licensed as a physician and surgeon in any other state, having practiced in such state for 4 years, having had no disciplinary action taken against him by any public agency concerned with the practice of medicine and having had no adverse judgments resulting from medical practice as would evidence a pattern of incompetence or negligence, and having passed an oral and comprehensive clinical examination.

Existing law defines a physician's assistant to mean a person who is a graduate of an approved program and is certified by the Physician's Assistant Examining Committee.

This bill would revise such definition to provide that a physician's assistant means a person who meets the requirements of the Physician's Assistant Practice Act and is certified by the committee.

Existing law provides that the Physician's Assistant Examining Committee is required to give consideration to, and encourage training programs for, physicians' assistants to use methods, as specified, for allowing credit to trainees for past education and experience.

This bill would require the committee to require such programs to utilize methods for allowing such credit.

Existing law requires the committee to approve an application by a graduate of an approved educational program to practice as a physician's assistant, where the applicant has met all requirements of the Physician's Assistant Practice Act and the Board of Medical Quality Assurance regulations.

This bill would revise such provision to require the committee to approve an application to practice as a physician's assistant where the applicant has completed an examination, as specified, and either has successfully completed an approved program or has successfully completed, in a medical school or schools, a residence course of professional instruction which the board has determined is equivalent to that required for an applicant for a physician's and surgeon's certificate.

Ch. 954 (AB 3170) Knox. Air navigation hazards.

The bill would require the Department of Transportation to undertake a study of the cost and feasibility of various factors concerning the investigation, determination, and marking of wires, powerlines, or electric cables involving a hazard to air navigation.

The bill would require the department to hold public hearings

The bill would authorize the use of specified funds up to \$40,000 for the study

Ch. 955 (AB 3378) McVittie Vehicles: lien sales.

This bill would extend the operation of various sections of the Civil and Vehicle Codes regarding the lien sales of motor vehicles, including mobilehomes.

Ch. 956 (AB 3439) Knox. District reorganization.

Existing law specifies that actions and proceedings to review quasi-judicial determinations by a local agency formation commission or by a legislative body shall be limited to inquiry as to fraud and prejudicial abuse of discretion.

This bill would make such limitation applicable to all actions and proceedings to review determinations by a commission or by a legislative body.

Existing law defines reorganization as one or more changes of organization proposed for each of 2 or more subject districts.

This bill would include within the above definition 2 or more changes of organization proposed for any single subject district

Existing law prescribes the situations when an order establishing a district of limited powers as a subsidiary district may be adopted. One of the situations is when the portion of the district included within the boundaries of a city represents 70% or more of the area of taxable or assessable land within the district

This bill would further limit the above by requiring that, in addition, 70% or more of the number of registered voters who reside within the district must reside within that portion of the district which is included within the boundaries of a city.

Existing law provides that where a proposed reorganization consists solely of annexations, detachments or minor boundary changes or any combination thereof, a majority protest shall be deemed to exist and the proposed reorganization shall be abandoned upon the occurrence of certain conditions.

This bill would include within the kinds of reorganizations specified above: formation of county service areas.

Under existing law, a legislative body of a local agency conducting a proceeding under the District Reorganization Act of 1965, or its clerk, is responsible for making certain required filings to complete or certify the completion of a change of organization or reorganization.

This bill would substitute the executive officer of a local agency formation commissioner for the legislative body of a local agency conducting proceedings, or its clerk, for purposes for such provisions.

In addition, under existing provisions of the District Reorganization Act of 1965, the board of supervisors is responsible for initiating proceedings for a reorganization.

This bill would authorize a local agency formation commission to designate, by resolution, a city as the agency responsible for initiating such provisions in certain cases.

Among the documents required to be filed under existing law in connection with a district change of organization or reorganization, is a certified copy of the resolution ordering a change of organization or reorganization without election, or a resolution confirming an order for a change of organization or reorganization after confirmation by the voters.

This bill would require the executive officer of a local agency formation commission, upon receipt of such a certified copy, to examine the resolution and determine whether or not it is in compliance with boundaries, modifications, and conditions specified by such commission in its resolution making determinations. If the resolution is so determined not to be in compliance, the executive officer would be required to specify in writing the points of noncompliance, and return it to the appropriate agency for modification. If the resolution is determined to be in compliance, the executive officer would be required to prepare and execute a certificate of completion and make other filings as required by existing law.

Ch. 957 (AB 3454) Chappie Brownsville Forestry Station. sale of

This bill would allow the Director of General Services to sell to the County of Yuba Brownsville Forestry Station at half of fair market value for park and recreation purposes

In addition, this bill would require the Director of General Services to reserve in the state all mineral deposits, as defined, with respect to such property.

Ch. 958 (AB 3590) Kapiloff. Geothermal resources. study

Under existing law, geothermal resources development operations are generally regulated by the State Oil and Gas Supervisor, either acting himself, as Chief of the Division of Oil and Gas of the Department of Conservation, or through district deputy supervisors and inspectors

This bill would provide for a state task force, consisting of representatives of designated state agencies, 3 members of the public, and 4 Members of the Legislature, to study all aspects of the development of the geothermal resources of the state, and in its study to respond to questions relating to such development that are set forth in the bill. The bill would require the Secretary of the Resources Agency and the Director of the Office

of Planning and Research to transmit the final report of the task force to the Legislature and the Governor not later than July 1, 1977, and would terminate the existence of the task force 6 months after transmittal of such report.

Ch. 959 (AB 3647) William Thomas. Municipal court commissioners and referees.

Existing law provides that a municipal court commissioner may exercise the same powers as a superior court commissioner. Depending on the particular county, such powers include serving as juvenile court referee, probate commissioner, and judge pro tempore upon stipulation by the parties litigant. With respect to specified misdemeanor violations of the Vehicle Code or infractions, a traffic referee of a municipal court may conduct arraignments, take pleas, grant continuances, set cases for trial, impose uncontested traffic fines, and exercise similar powers.

This bill would provide that a commissioner or traffic referee of a municipal court may have the same jurisdiction and exercise the same powers and duties as the judges of the court with respect to any infraction.

Ch. 960 (AB 3704) Knox. Pilot civil action procedure.

Existing statutory law specifies the procedure that applies to all civil actions

This bill would require a 3-year pilot project to be conducted by the Judicial Council in 2 municipal courts, or branches thereof, in counties of specified population, using a specified procedure in all cases tried therein, exclusive of small claims court cases, except as specified.

This bill would require a 3-year pilot project to also be conducted by the Judicial Council in a limited manner in 2 superior courts, or branches thereof, in counties of specified population, using procedures prescribed by Judicial Council rules in all cases tried therein involving an amount in controversy not exceeding \$25,000, except eminent domain actions.

This bill would require the Judicial Council to select such municipal courts and superior courts with the approval of a majority of the judges of the selected courts

Under the pilot project all included civil actions would be processed and tried in accordance with the specified procedure established by the bill except where the case is withdrawn by order of the court for good cause. The provisions of the pilot project applicable to the trial stage are inapplicable to those civil actions in which a jury trial is not waived.

This bill would as respects the procedures in pilot program municipal courts, provide for the following:

- (1) The elimination of any requirement of technical forms of a pleading
- (2) Permissible pleading of claims in the alternative or inconsistently.
- (3) The elimination of the use of discovery except for the requirement that each party file a statement of witnesses to be called and physical evidence to be introduced.
- (4) The elimination of any requirement of pretrial conferences.
- (5) The elimination of the use or permissibility of demurrers or pretrial motions, except as specified.
- (6) The permissive, rather than required, use of trial briefs.
- (7) The permissive use of narrative testimony.
- (8) The permissive use of written submissions of direct testimony.
- (9) The admissibility of all relevant evidence other than privileged information, except as privileged information is presently admissible.
- (10) The prohibition of the requirement of making findings of fact or conclusions of law

This bill would require the Judicial Council to do each of the following:

- (1) Promulgate rules for the implementation of the pilot project
- (2) Develop procedures for the collection and evaluation of data to determine the cost effect of the pilot project.
- (3) Conduct a study of the effects of the pilot project and report its findings annually to the Legislature.

This bill would become operative no later than January 1, 1978, and would apply to cases filed on or after the operative date

Ch 961 (AB 3876) Keene Funeral directors

Existing law authorizes a funeral director's license to be assigned upon the payment of a fixed fee and if the assignee is unlicensed, upon such person meeting the qualifications for such license

This bill would require that prior to such license assignment, an audit is to be conducted of the firms' preneed trust funds and any shortages in such funds shall be funded

Existing law requires all accusations against a licensee of the Board of Funeral Directors and Embalmers to be filed with the board within one year after the performance of the act or omission alleged as the ground for disciplinary action except that in the case of fraud or misrepresentations such filing time is 2 years after discovery of such fraud or misrepresentation

This bill would extend such filing time to 2 years after such act or omission and to 3 years in the case of alleged fraud or misrepresentation

Existing law provides that any violation of the Funeral Directors and Embalmers Law shall constitute grounds for disciplinary action.

This bill would add that any violation of the rules and regulations adopted pursuant to such law shall also constitute grounds for disciplinary action.

Existing law provides that specified preneed contracts entered into by a funeral director must contain provisions providing for the establishment of a trust for the purpose of the contract. The law provides that income from the corpus of such trust may be utilized to pay, among other things, (1) the expense of administering the trust, (2) a trustee's fee not to exceed \$25 and (3) any sales expense incurred. The law provides that none of the trust corpus or trustees' fee shall be used for the payment of any commission

This bill would revise (1), (2) and (3) above to provide that such income of the corpus may be utilized to pay a reasonable annual fee for administering the trust, including a trustee fee to be determined by the board. The bill deletes the prohibition of using the trustees' fee for the payment of any commission and adds that none of the corpus may be used for the payment of any commission

The bill makes other changes in such trust fund provisions, including the definition of the term "beneficiary" of the trust from the person for whom the fund was established to the person for whom the funeral services are arranged.

Ch. 962 (AB 4146) Lanterman. State hospitals. administration.

Existing law provides for the administration of state hospitals by a clinical director and hospital administrator, each with specified duties, subject to the regulation of the Director of Health

This bill would require the Director of Health to appoint either the clinical director or the hospital administrator to be the hospital director, who would be the chief executive officer of the hospital, with the authority to establish rules and regulations governing the hospital, and who would be responsible for all hospital operations. The bill would make various related changes

Existing law requires the state hospital program director to be a physician if he has duties concerning the medical care of a patient.

This bill would not preclude the appointment of any qualified person as the program director provided that a physician is available to assume responsibility for the medical care of a patient, and provided that the program director of a medical-surgical unit must be a licensed physician.

This bill would also change various references to the "mentally retarded" to the "developmentally disabled"

Ch 963 (SB 1758) Russell Labor occupational safety and health

(1) Existing law provides that the Occupational Safety and Health Standards Board shall adopt occupational safety and health standards at least as effective as comparable federal standards

This bill would additionally require the standards board to adopt standards which, when applicable to products which are distributed for use in interstate commerce, are required by compelling local conditions and do not unduly burden interstate commerce

(2) Existing law requires the standards board to publish notice, at least 20 calendar days prior to a meeting, of any meeting or a hearing to consider the adoption, amend-

ment, or repeal of an occupational safety and health standard or order.

This bill would extend such notice period to 30 calendar days.

(3) Existing law requires the standards board to adopt standards which most adequately assure, to the extent feasible, that no employee will suffer material impairment of health or functional capacity even if the employee has regular exposure to a hazard regulated by the standard for the period of his working life.

This bill would additionally set forth specified criteria to be utilized in the development of standards by the standards board.

(4) Existing law requires the Division of Industrial Safety to issue citations with reasonable promptness for violations of occupational safety and health standards, orders, rules, or regulations, and to fix a reasonable time for abatement of the violation. Where such a violation does not have a direct relationship upon the health or safety of an employee a "notice" in lieu of citation may be issued.

This bill would require that the period of abatement not commence until receipt of the citation or notice by the employer by certified mail, or until the date of official and direct delivery by the division. It would additionally require the Director of Industrial Relations to adopt guidelines for the issuance of such notices.

Ch. 964 (SB 1793) Behr. Industrial loan companies

Existing law provides for the regulation of industrial loan companies

This bill would completely revise those provisions of the Financial Code, relating to such companies.

This bill would provide that neither appropriation is made nor obligation created for reimbursement of local entities for specified reasons

Ch. 965 (SB 1977) Gregorio. Medi-Cal.

Under the current Medi-Cal Act it is a crime for any person to receive health care for which he was not eligible on the basis of false declarations as to his eligibility.

This bill would also make it a crime for any person to make a false declaration as to eligibility in behalf of any other person receiving health care for which such other person was not eligible.

Under the current Medi-Cal Act it is a crime for any person to make a false Medi-Cal claim for authorization or payment.

This bill would authorize the State Department of Health to require such claims to be made over the provider's own signature for any provider on whose behalf improper claims are submitted.

Under the current Medi-Cal Act the department or Department of Benefit Payments may examine a provider's books and records relating to Medi-Cal services.

This bill would provide that the failure of a provider to furnish information or copies of records and documents relating to Medi-Cal services to beneficiaries requested by either department is a ground for suspension of the provider from participation in the Medi-Cal program and would require reimbursement of providers for photocopying expenses, as specified. It would also provide that unannounced visits to request such information be reserved for exceptional situations where prior appointment is not possible or feasible.

Additionally, the bill would provide for destruction of copies of records provided the department when the purpose for which they have been provided is satisfied.

Ch. 966 (SB 2007) Deukmejian. Grand jury investigations

Existing law authorizes a grand jury to examine the books and records of, among other entities, incorporated cities, with respect to fiscal matters, and to make such recommendations as it may deem proper.

This bill would specify that the grand jury may investigate the books and records of a joint powers agency to the same extent as provided above

The bill would also authorize the grand jury to investigate and report upon the needs of all joint powers agencies in the county, including the abolition or creation of agencies and the equipment for, or the method or system of performing the duties of, the several agencies; and would require the grand jury to cause a copy of any such report to be transmitted to the governing body of any affected agency.

The bill would incorporate additional changes in Section 925a of the Penal Code,

proposed by Senate Bill No. 1860, to be effective only if Senate Bill No. 1860 and this bill are both chaptered and become effective January 1, 1977, and this bill is chaptered last

Ch. 967 (AB 2604) Alatorre Public social services

Under the existing state supplemental program (SSP) aged or disabled recipients are entitled to a restaurant meal allowance when their living arrangement prevents preparation of meals at home

This bill would also allow such allowance to such recipients whose disabilities prevent the use of the cooking facilities at home in lieu of in-home food preparation services.

Ch. 968 (AB 3563) Keene. Relocation assistance: appropriation of funds

The existing law provides, with respect to provisions of the law relating to the sale and rental of property acquired pursuant to the Property Acquisition Law, that rentals received by the Department of General Services shall be deposited in the General Fund and are appropriated to the Department of General Services to maintain, improve, and care for real property acquired pursuant to the Property Acquisition Law pending the use of such property. Existing law provides that any unexpended balance in the appropriation shall be transferred by the Controller on order of the Director of General Services to the General Fund.

This bill would provide, with respect to such appropriated money, that, notwithstanding any other provision of the law, such money shall be available for payments pursuant to specified provisions of the law relating to relocation assistance.

In addition, this bill would provide, with respect to such appropriated money, that such money shall be available to repay an unspecified emergency fund loan made to the Department of General Services for relocation assistance claims.

Ch. 969 (AB 4176) Torres Community care facilities licenses and permits

(1) Under existing law, the Director of Health was authorized prior to July 1, 1974, to issue provisional licenses not exceeding 6 months to community care facilities which were in substantial compliance with the California Community Care Facilities Act and adopted regulations.

This bill would delete the July 1, 1974, restriction and authorize the director to issue such provisional licenses to community care facilities if no life safety risks are involved.

(2) Under existing law, every licensed community care facility is required to be inspected and evaluated with the results of each evaluation rated on a scale.

This bill would exempt family homes providing care for 6 or fewer foster children from such rating requirement.

(3) Under existing law, the director may suspend or revoke a license or special permit for a community care facility upon commitment of a violation by the facility or improper conduct in the operation or maintenance of the facility.

This bill would authorize the director to temporarily suspend any license or special permit for a community care facility prior to any hearing if necessary to protect residents or clients of the facility. The temporary suspension would remain in effect until the hearing is completed and the director has made a final determination on the merits, except that the temporary suspension would be vacated if the director fails to make the final determination within 30 days after completion of the original hearing.

Ch. 970 (AB 4193) Mobley. Water projects

(1) Existing law provides for the development by the Department of Water Resources and submittal to the Reclamation Board for adoption by the board of criteria for the maintenance and improvement of levees in the Sacramento-San Joaquin Delta which are not project facilities under the State Water Resources Law of 1945. There are no provisions for studies for the control of subsidence of land in the delta.

This bill would require an investigation by the Department of Water Resources of the viability of a subsidence control program in the Sacramento-San Joaquin Delta.

(2) Existing law requires preference for Davis-Grunsky Act grants and loans to be given to projects involving the development of new basic water supplies.

This bill would permit consideration to be given to projects which would rehabilitate a dam and reservoir for water supply purposes, if the water supply function of a dam and reservoir facility is operationally limited or eliminated for dam safety purposes, pursuant to the department's authority to supervise dams and reservoirs.

Ch 971 (SB 2062) Robbins. Blind persons guide dogs

Existing law provides that any person renting, leasing, or providing for compensation real property, if such person refuses to accept tenants who have dogs, is not required to accept as a tenant a blind person, visually handicapped person, or other physically disabled person who has a dog, including a guide dog

This bill would instead provide that such person is not required to accept as a tenant a physically disabled person who has a dog, but would make it a denial of equal access to housing accommodations to refuse to lease or rent housing accommodations to a blind person or visually handicapped person on the basis that such person is dependent upon the services of a guide dog, or to refuse to permit a blind person or visually handicapped person to keep a guide dog on the premises

Existing law also provides that persons who deny or interfere with the admittance to or enjoyment of specified public facilities or otherwise interferes with the rights of a totally or partially blind person or other disabled person, under specified provisions of law, is guilty of a misdemeanor.

This bill would specify that such persons would be liable for each such act for actual damages, plus \$500 punitive damages, suffered by a blind or other disabled person, and would delete the provision that the commission of such acts constitutes a misdemeanor

Ch 972 (AB 3263) Wilson Housing: discrimination of blind persons

Existing law provides that it shall be deemed a denial of equal access to housing accommodations, within the meaning of the provisions relating to access to housing accommodations by blind persons, visually handicapped persons, and other handicapped persons, for any person, firm, or corporation to refuse to lease or rent housing accommodations to a physically disabled person. A denial of equal access to housing under such existing provision of law by any person, firm, or corporation constitutes a misdemeanor. However, existing law contains an exception to the above provisions of law, which exception provides that it shall not be deemed a denial of equal access to housing accommodations to refuse to accept as a tenant a blind person, visually handicapped person, or other physically handicapped person who has a dog, including a guide dog.

This bill would delete the above exception with respect to blind persons and visually handicapped persons; and would instead provide that it shall be deemed a denial of equal access to housing accommodations for any person, firm, or corporation to refuse to lease or rent housing accommodations to a blind or visually handicapped person on the basis that such person uses the services of a dog guide, or to a deaf person on the basis such person uses the services of a signal dog, or to refuse to permit such a blind or visually handicapped person to keep a guide dog, or a deaf person a signal dog, on the premises

It would also provide that this proposed provision shall not, except in the normal performance of duty as a mobility aid, be construed to prevent the owner of a housing accommodation from establishing certain terms in a lease or rental agreement, nor be construed to relieve a tenant from any liability otherwise imposed by law for real and personal property damages caused by a guide dog when proof of same exists

Existing law makes it a misdemeanor for any person or persons, firm or corporation to deny or interfere with the rights of a totally or partially blind or visually handicapped person or other physically disabled person under certain enumerated provisions of law

This bill would delete the above misdemeanor, and instead, would make such persons, firms or corporations liable for each and every such offense for the actual damages, and, in addition thereto, specified punitive damages, suffered by any such totally or partially blind or visually handicapped person, deaf person, or other physically disabled person

This bill would incorporate additional changes in Sections 54.1 and 54.3 of the Civil Code proposed by Senate Bill 2062 to be effective only if Senate Bill 2062 and this bill are both chaptered and this bill is chaptered last.

Ch 973 (AB 2791) Alatorre. Professional and amateur full-contact karate. regulation by the State Athletic Commission.

Existing statutes relating to the jurisdiction of the State Athletic Commission over boxing and wrestling do not specifically refer to professional and amateur full-contact karate

This bill would: include professional and amateur full-contact karate, as defined, within provisions regulating boxing; define various terms; require the State Athletic Commission to adopt specified rules and regulations governing professional and amateur full-contact karate contests and matches and professional and amateur full-contact karate exhibitions and to approve protective gear; declare various existing provisions relating to boxing inapplicable to professional and amateur full-contact karate, prohibit professional and amateur full-contact karate matches, contests, and exhibitions unless participants use approved protective gear on their hands and feet; prescribe limitations upon the number and length of rounds for professional and amateur full-contact karate matches, deem any professional full-contact karate contests conforming to law not to be a prizefight; require the licensed promoter to be the real party in interest for the purposes of conducting any contest; provide for granting of titles by specified organizations which are required to observe rules and regulations of the commissions; exempt certain matches and contests; authorize appointment of an advisory committee, as specified; and specifically prohibit any minor from participating in any professional or amateur full-contact karate exhibition, match, or contest.

The bill would also require a physician at professional and amateur full-contact karate matches as well as certain amateur boxing and wrestling contests presently exempt from such regulation.

This bill would also provide that neither appropriation nor reimbursement shall be made to local agencies for costs incurred by them pursuant to this act for a specified reason.

This bill would take effect immediately as an urgency statute.

Ch 974 (AB 4038) Knox Health care service plans: appropriation.

Under existing law, the Commissioner of Corporations has responsibility for enforcing the Knox-Keene Health Care Service Plan Act of 1975 which regulates health care service plans.

This bill would appropriate \$189,261 to the commissioner for administration of the Knox-Keene Health Care Service Plan Act of 1975 during the 1976-77 fiscal year.

This bill would take effect immediately as an urgency statute.

Ch. 975 (AB 4453) Lanterman. Health care pilot projects: high-risk pregnant women

In 1975, the Legislature authorized the State Department of Health to conduct one or more pilot programs of not more than 3 years duration for the provision of personal health care services in the perinatal period to defined high-risk pregnant women, and required the department to report thereon, as prescribed. A total of \$6,000,000 was appropriated from the General Fund for such purposes, with \$1,000,000 to be available during the 1975-76 fiscal year, \$2,000,000 during the 1976-77 fiscal year, \$2,000,000 during the 1977-78 fiscal year, and \$1,000,000 during the 1978-79 fiscal year.

This bill would make the \$1,000,000 appropriation for the 1975-76 fiscal year available for expenditure during the 1976-77, 1977-78, or 1978-79 fiscal years, without restriction as to the amount thereof which may be expended during any of such fiscal years.

This bill would take effect immediately as an urgency statute.

Ch 976 (SB 460) Rodda. Early childhood education: state apportionments.

(1) Under existing law, the Superintendent of Public Instruction is required to reduce school district apportionments for early childhood education programs in accordance with amounts received by a school district as allowances for specialist teachers in reading in grades 1, 2, and 3.

This bill would authorize school districts that receive allowances for both specialist teachers in reading and early childhood education programs to use funds for specialist teachers in reading for grades 4, 5, and 6, or kindergarten and grades 1, 2, and 3.

(2) Present law makes provision for the nomination and designation of specialist teachers in reading.

This bill would provide that such teachers may provide reading instruction in kindergarten and grades 1 through 3, or grades 4 through 6, rather than only in grades 1 through 3.

This bill would take effect immediately as an urgency statute.

Ch 977 (SB 30) Gregorio Minors.

Present law provides comprehensive regulation and control relating to minors, including provisions under which a child may be declared free from the custody and control of either or both parents or declared a dependent child by the juvenile court, and provisions relative to reporting of child abuse, providing aid to needy children receiving foster care, and providing state protective services to children.

This bill would enact the "Family Protection Act of 1976" to provide for, and to be applicable only to, a limited term demonstration program in counties to be selected by the State Department of Health, including the following

(1) Under existing law provision is made for state protective services to problem children on a voluntary basis without regard to financial need, funded under state aid programs or under federal law.

This bill would provide state reimbursement for costs incurred by a demonstration county in providing such state protective services, according to a specified formula.

This bill would implement these existing provisions by providing a demonstration program under which parents in a demonstration county with the requested participation of a demonstration county welfare department would voluntarily agree to place their child in a foster home with the requirement, among others, that every attempt be made to keep the family together by the offer of state protective services

This bill would also require each demonstration county to provide a program, with state reimbursement provided, of family reunification services to facilitate the return to the family of minors who have been placed in foster homes, either voluntarily or as dependent children under the juvenile court law. Participation in the program would be voluntary without regard to financial need.

(2) Under existing law if a minor is not provided a proper home by his parents, is not given proper and effective parental control or who is dangerous to the public because of a physical or mental condition he may be declared a dependent child of the juvenile court.

This bill would permit the juvenile court of a demonstration county in lieu thereof to order that services be provided to keep the family together, and place the family under the supervision of a probation officer or social worker for a period not to exceed six months

This bill would also permit a probation officer or social worker of a demonstration county to refer such a child to state protective services for children in lieu of filing a petition to declare the child a dependent child. This referral would replace existing provisions of law permitting a six-month program of supervision of the minor

This bill would impose duties upon the probation officer or social worker of a demonstration county to attempt to keep the parents and minor together by providing appropriate services, and if separated to provide services to facilitate the return of the minor, would modify the procedures under which the probation officer and juvenile court acts in cases where a child is to be declared a dependent child, and would make other related changes in the juvenile court law.

(3) Under existing law a minor may be judicially declared free from parental control and custody if he comes within any of specified circumstances concerning the lack of parental support or control

This bill would, for a demonstration county, additionally permit such declaration where the child has been found to be a dependent child of the juvenile court and is voluntarily placed in an out-of-home placement or has been removed from the physical custody of his parent or parents, and where an action to terminate parental rights has been initiated, would provide a detailed procedure therefor, and make related changes.

(4) The courts have differed in the interpretation of the present statutes as to the rights of a minor, his parents or his guardian to be represented by counsel and to appointed counsel in juvenile court dependent child proceedings

This bill would mandate, in each demonstration county, certain representation by counsel in a dependent child juvenile court proceeding for a minor, as well as his parents or guardian if they desire counsel but cannot afford it.

(5) This bill would also require various reporting by the State Department of Health

This bill makes an appropriation of \$3,000,000 † and allocates specified amounts for specified purposes of this act

The bill would repeal the above changes on June 30, 1981.

† Appropriation reduced to \$2,000,000 by action of the Governor.

Ch. 978 (AB 1329) Chacon. Schools: bilingual education.

Existing law, contained in the Bilingual Education Act of 1972, requires school districts to undertake a census of non-English-speaking children and children of limited-English-speaking ability and to report the census results to the Department of Education. The existing Bilingual Education Act of 1972 authorizes school districts to participate in a prescribed program of bilingual education involving parental and community participation.

This bill would enact the Chacon-Moscone Bilingual-Bicultural Education Act of 1976 to promote bilingual-crosscultural education programs in the public schools.

This bill would require each school district, other than community college districts, to undertake a census of the number of pupils of limited-English-speaking ability in the district and report its finding to the Department of Education.

This bill would require each limited-English-speaking pupil, as defined, enrolled in the California public school system in kindergarten through grade 12 to receive instruction in a language understandable to the pupil which recognizes the pupil's primary language and teaches the pupil English. The specific type of instruction or program a school district is required to provide would depend on the presence of a specified number of non-English-speaking or limited-English-speaking pupils, as defined, in a school with the same primary language in the same grade level or with the same primary language, in the same age group, in a multigrade or ungraded instructional environment. The pupil's parent, parents, or guardian would have the right not to have their child or ward enrolled in such an education program. Limited-English-speaking pupils in kindergarten through grade 12, who are not enrolled in one of these specified programs would be required to be individually evaluated and receive instructional services in an individual learning program.

This bill would provide that bilingual instruction funded under the 1972 act shall continue until replaced by or incorporated into programs funded by this bill and for a gradual phase-in of bilingual-crosscultural programs.

This bill would provide for maximum state reimbursements to school districts commencing in the 1977-78 school year and thereafter.

This bill would require periodic reports regarding the instruction offered.

This bill would provide for the establishment of school district advisory committees on bilingual education.

This bill would require the State Board of Education to adopt rules and regulations regarding bilingual programs and would require such programs to be administered by the Superintendent of Public Instruction as specified.

This bill would require teachers and teacher aides to be fluent in the primary language of the limited-English-speaking pupils in order to be permitted to teach in any bilingual-crosscultural program except where there is a shortage of qualified bilingual teachers or teacher aides as specified.

This bill would require the Commission for Teacher Preparation and Licensing to carry out various responsibilities and duties with respect to the programs prescribed by this bill.

This bill would require the Superintendent of Public Instruction to allocate funds made available for bilingual-crosscultural education programs in a specified manner.

This bill would make, in addition, related technical changes.

This bill would appropriate \$3,786,000 from the General Fund for bilingual education to the Superintendent of Public Instruction, the Commission for Teacher Preparation and Licensing, and the Student Aid Commission for the purposes of this bill pursuant to a specified schedule and would also provide that not more than a specified amount may be used by the Department of Education for administration and evaluation activities and not more than a specified amount may be used by the Student Aid Commission for administration.

It would also provide that there shall be no reimbursement nor appropriation made by the bill other than that contained therein for a specified reason.

Ch. 979 (AB 3063) Wornum. CSUC: Sonoma State.

Under existing law the names of certain state universities and colleges may be changed in a prescribed manner to specified names.

This bill would authorize the name of the state university or college at Sonoma to be

changed to "Sonoma State College "

Ch. 980 (AB 3147) Chacon Postsecondary education.

Under existing law, an adult or minor alien may be entitled to resident status for purposes of the payment of nonresident tuition fees in public institutions of higher education if he has been lawfully admitted to the United States for permanent residence

This bill would include aliens who are refugees and who have been granted parolee status or indefinite voluntary departure status among those aliens who may be so entitled to resident classification if they have lived in this state for one year. Such entitlement would be operative only until June 30, 1980.

This bill would also specify that for specified reasons it does not make an appropriation or create an obligation to reimburse a local entity under Sections 2229 and 2230 of the Revenue and Taxation Code.

It would also take effect immediately as an urgency statute.

Ch. 981 (AB 3149) Vasconcellos. Community colleges: field trips, accrediting attendance.

Under existing law, attendance of pupils not exceeding 10 schooldays in field trips or excursions is considered attendance for purposes of crediting attendance for state apportionments.

This bill would remove the 10-schoolday limitation for purposes of community college students.

This bill would also make additional changes in Sec. 1081.5, Education Code, proposed by AB 2878, to be operative only if this bill and AB 2878 are both chaptered and effective January 1, 1977, and this bill is chaptered after AB 2878.

Ch. 982 (AB 3274) Egeland. Education; pupils

Existing law provides for special programs for educationally handicapped pupils.

This bill would require the provision of an appeals procedure if enrollment in such program is denied or disputed.

Existing law provides (1) that for purposes of programs for educationally handicapped pupils, in the event the governing board of a district elects to test and screen pupils, only tests approved by the State Board of Education shall be used and parental consent shall be obtained, and (2) under designated circumstances a school district may pay the parent or guardian of an educationally handicapped pupil a designated sum toward the tuition for such pupil enrolled in a public or private nonsectarian school offering special education facilities

This bill would repeal such provisions

Existing law provides for membership on the Advisory Committee on Development Centers for Handicapped Pupils of, among others, one member from the Department of Benefit Payments, one member from the State Department of Health, and one parent of a handicapped pupil

This bill would, rather than the above members, provide for membership of one member from the Office of Developmental Disabilities, one member from Crippled Children's Services, and two parents of pupils enrolled in any development center for handicapped pupils.

Existing law authorizes special allocations to school districts in providing necessary housing and equipment for the education of pupils enrolled in development centers for the handicapped, if the school district receives state funds for the operation of such centers.

This bill would recast the provision to authorize such allocations for housing and equipment for the education of pupils enrolled or to be enrolled in such centers, and condition eligibility for the allocations on the authorization to operate the centers.

Ch. 983 (AB 3298) Montoya Student Aid Commission: student grants.

(1) Existing law provides for the Cal Grant program and that there shall be ~~20,425~~ [22,700] * new awards under the program for the 1977-78 fiscal year and each year thereafter with ~~4,550~~ [6,825] * awards to be utilized for tuition, student fees, and subsistence costs of disadvantaged students and 975 for students taking occupational and technical training

This bill would provide instead 23,062 new awards with ~~6,825 for disadvantaged students and~~ * 1,337 for occupational and technical training.

(2) Current law provides for a state occupational education and training grant program and appropriates funds for the support of that program. It specifies that there shall be 975 new grants for the 1976-77 fiscal year.

This bill would provide that there shall be 1,337 new grants for the 1976-77 fiscal year, and each fiscal year thereafter.

(3) Current law also specifies that new state occupational education and training grants in excess of 700 shall not be awarded in the 1977-78 fiscal year unless federal funds are available.

This bill would increase that number to 1,062 and would also increase the number of continuing grants which receive priority funding for occupational or technical training from 975 to 1,337 in the 1977-78 and following fiscal years.

(4) This bill would make related technical changes.

(5) It also would appropriate \$500,000 to the Student Aid Commission, without regard to fiscal years, for the purpose of making such grants. It also would make a technical change.

(6) This bill would take effect immediately as an urgency statute.

Ch. 984 (AB 3339) Chacon. Bilingual education: teachers.

Under existing law, the Commission for Teacher Preparation and Licensing is authorized to issue teaching credentials.

This bill would require the commission to grant certificates of bilingual-crosscultural competence for teachers in bilingual education and would provide for the minimum requirements of such certificates. The commission would be required to adopt regulations for such certificates by March 1, 1977.

Ch 985 (AB 3343) Duffy. Medical schools: clinical training grants

Existing law authorizes the Student Aid Commission, from funds appropriated by the Legislature, to allocate funds for United States citizens who receive their training in foreign medical schools and who are enrolled in a program of supervised clinical training. The legislative intent of existing law is to provide financial assistance to University of California medical schools operating supervised clinical training programs and to assist in the development and operation of at least 30 places in such clinical training programs.

This bill would additionally state legislative intent for providing financial assistance to students to cover the costs of supervised clinical training programs at medical schools in this state other than University of California medical schools and to assist in the development and operation of up to 50 places in such programs.

This bill would authorize allocation of funds to students enrolled in certain clinical training programs at medical schools in this state other than the University of California medical schools.

This bill would limit the allocation of specified funds up to a total of 30 students enrolled in University of California medical schools and up to a total of 20 students accepted for enrollment by a University of California or other medical school. The bill would require that funds appropriated to students under the provision are only to be expended by students to cover the costs of a supervised clinical training program.

Existing law provides that in allocating funds to medical schools, the amount paid is to be decreased by the amount of federal funds received for a student and by the amount of tuition and fees paid by a participating student.

This bill would provide that in allocating funds to students enrolled in clinical programs at a University of California medical school and medical schools in this state other than University of California medical schools such amount shall be decreased by the amount of other tuition and fees paid by a participating student.

Existing law requires the Student Aid Commission to report to the Legislature no later than January 1, 1976, concerning the numbers of students who have completed or are enrolled in supervised clinical training programs, the medical school each student attends, the attrition rate of students enrolled in various programs; and recommendations for changes in funding such programs.

This bill would require the commission to make such report no later than January 1, of each year.

The bill would appropriate \$100,000 from the General Fund to the Student Aid Commission for expenditure during the 1976-77 fiscal year in augmentation of specified items of the Budget Act.

This bill would take immediate effect as an urgency statute

Ch 986 (AB 3790) Vasconcellos. Campus child development centers

Existing law authorizes the establishment and operation of campus child development centers, and the reimbursement of operating agencies.

This bill would authorize the Department of Education to accept any public funds not otherwise prohibited by law, which is in addition to various other specified sources, as the local share to obtain state matching funds.

This bill would appropriate \$500,000 to the Superintendent of Public Instruction for allocation during fiscal year 1976-77 to operating agencies maintaining campus child development centers

The bill would take effect immediately as an urgency statute

Ch 987 (AB 4027) Brown. Student financial aid programs.

Various programs exist whereby state financial assistance is provided to students attending colleges and universities. Some such programs condition student aid upon the student's financial need, however, no universal standard exists for determining such need.

This bill would apply to need-based, state-funded student grants, and would require that in each case the resources of an applicant's parents be considered in determining the applicant's financial need, except under certain specified conditions.

The provisions of this bill would be applicable to grants awarded for the 1978-79 academic year. It would be operative only until June 30, 1978, or until completion of the processing of applications for the 1978-79 academic year, whichever is later

Ch 988 (AB 4109) Duffy. Health science facilities

There is no existing law providing an appropriation for health science purposes for the University of California at Los Angeles for planning, working drawings, and construction of a nursing facility for UCLA and planning, working drawings and construction of UCLA-UCR biomedical facilities.

This bill would amend and supplement the Budget Act of 1975 to appropriate \$1,363,000 and \$885,000, respectively, from the Health Science Facilities Construction Program Fund to the University of California for the purposes specified above, while providing that no sums so appropriated for a nursing facility for UCLA may be encumbered unless and until the President of the University of California certifies to the Director of Finance that \$3,800,000 or more of federal matching funds are available for such purposes

The bill would also provide that the appropriation for UCLA is made subject to the proviso that the existing percentage of graduate students in the School of Nursing enrolled in clinical nurse practitioner programs is, at least, maintained and that any increases in enrollment above current enrollments in the School of Nursing shall occur only in clinical nurse practitioner programs, and at least 70% of such growth shall occur in primary care nurse practitioner programs

The bill would take effect immediately as an urgency statute

Ch. 989 (AB 4152) Rosenthal. Regional occupational centers: programs.

Under existing law, any visually handicapped, orthopedically handicapped, or deaf person who has graduated from high school, may attend a regional occupational center or program, on the same basis as a high school pupil, and receive additional special instructions and support services. Specified state allowances are provided to school districts and county superintendents of schools conducting regional occupational centers or programs that provide services to such handicapped persons

This bill would remove the requirement that such handicapped pupils must have been graduated from high school to be eligible to attend a regional occupational center or program and would make any person not enrolled in a regular high school or community college program eligible to attend a regional occupational center or program

Ch 990 (AB 4289) Thurman. Community colleges: nonresident tuition

Existing law requires community college districts to charge a tuition fee of nonresident students. Any district, however, may exempt from all or part of the fee nonresidents who (1) enroll for six units or less or (2) are both citizens and residents of a foreign country. It is specified that any exemption shall be made with regard to all nonresidents described in (1) or (2) and shall not be made on an individual basis.

This bill would remove the prohibition that exemptions for nonresidents who are both citizens and residents of a foreign country shall be made with regard to all such nonresidents and, would, therefore, permit exemptions on an individual basis. Also, such nonresidents, in order to obtain an exemption of all or part of nonresident tuition fees, would have to demonstrate a financial need and not more than 10% of the nonresident foreign students attending any community college could be so exempted.

Ch 991 (AB 2790) Montoya. Schools: community colleges finance: foundation programs: adult education

Chapter 323 of the Statutes of 1976 revised the manner of funding, computation of funding, and reporting of attendance of school districts and community college districts.

This bill would make numerous nonsubstantive and technical changes in provisions of law affected and amended and added by such chapter.

This bill would take effect immediately as an urgency statute.

Ch 992 (SB 1627) Greene. School audits, regional occupational centers, programs

Existing law requires the county superintendent of schools to provide for an annual audit of all funds under his jurisdiction and control and the governing board of each district to either provide for an audit of the books and accounts of the district or to make arrangements with the county superintendent to provide for such auditing. Each such audit is required to include all district funds, including the student body and cafeteria funds and accounts and any other funds under the control or jurisdiction of the district.

This bill would make various technical changes in the manner of controlling fiscal aspects, including audits, budgets, and reserves, of regional occupational centers and programs, and prescribe various requirements and limitations to be complied with.

This bill would provide that notwithstanding Section 2231 of the Revenue and Taxation Code there shall be no reimbursement by this bill for a specified reason.

Ch 993 (AB 2346) Antonovich. Abortions.

Present statutes do not expressly prescribe the standard of medical care to be provided an infant which is born alive in the course of an abortion.

This bill would declare the rights to medical care to be the same for an infant prematurely born alive in the course of an abortion as for a premature infant of similar medical status who is born spontaneously.

Ch 994 (AB 2582) McAlister. Easements

Under existing law, generally speaking, private owners of real property have no right to condemn adjacent property for the purpose of acquiring easements for utility service.

This bill would authorize the acquisition of such easements in specified situations in accordance with procedures similar to those applicable to acquisitions by quasi-public entities.

Ch. 995 (AB 2966) Bane. Property taxation. Assessment Appeals Board hearings.

Existing law provides that hearings before the Assessment Appeals Board need not be conducted according to the technical rules of evidence.

This bill would specify that the applicant has the right to introduce evidence concerning the terms of sale of comparable property.

Ch 996 (AB 3745) Egeland. Clinical laboratory technology.

Existing law requires specified laboratories which are exempt from the provisions of law concerning clinical laboratory technology to demonstrate to the State Department of Health satisfactory performance in a proficiency testing program approved by the State Board of Health in laboratory procedures which such laboratory performs.

This bill deletes the requirement that the proficiency performance be demonstrated to the department and requires, instead, such exempt laboratory to demonstrate satisfac-

tory performance in a proficiency testing program approved by the department in laboratory procedures which the laboratory performs

The bill also would require such physicians and surgeons who are tested as to such proficiency to certify to the department, under penalty of perjury, that the proficiency test was performed in their own laboratory.

Ch 997 (AB 4094) Knox. Rehabilitation.

Under current law the Director of Rehabilitation may determine that any property utilized in the program of the California Industries for the Blind and the opportunity work centers is surplus property and the Director of General Services is required to transfer such property in trust to any nonprofit corporation which operates manufacturing centers, salesrooms, or opportunity centers. The consideration for such transfer may consist solely of the obligation to continuously use the trust property for such purposes

This bill would require the Director of General Services with the approval of the Director of Rehabilitation to subordinate the state's interest in any real property held in trust by the nonprofit corporation to permit the nonprofit corporation to secure loans under certain conditions from private lenders. The bill would also require a quarterly report by the nonprofit corporation to the Legislature through the department

The bill in addition would defer certain payments due to the state on any debt until June 30, 1978. The bill would become effective immediately as an urgency statute

The bill would take effect immediately as an urgency statute

Ch 998 (AB 1325) Leroy F Greene. Frozen products: meat, poultry, and fish

There is no existing law which requires that meat, poultry, and fish be labeled as to whether it is fresh or has been frozen

This bill would prohibit any retail food production and marketing establishment, as defined, from advertising, labeling, or otherwise holding out as fresh any meat, poultry, or fish which has been previously frozen, as defined. Any violation would be a misdemeanor under existing provisions of law

The bill would provide that no appropriation would be made nor obligation created for the reimbursement of any local agency for state-mandated local program costs incurred by it under the bill for a specified reason

Ch. 999 (AB 2481) Chimbole. Vehicle emission inspection program

Existing law requires the Department of Consumer Affairs to design and adopt a program for the mandatory periodic exhaust emission inspection of all motor vehicles (with specified exceptions) registered in Los Angeles, Orange, Riverside, San Bernardino, Santa Barbara, and Ventura Counties.

This bill would limit such program to motor vehicles registered in those portions of those counties which lie within the South Coast Air Basin, as defined

Ch. 1000 (AB 2698) Kapiloff. Exemption from execution: dwellings

Under existing law a certified abstract of a judgment or decree, upon recordation, becomes a lien upon all real property of the judgment debtor, not exempt from execution, in such county, presently owned or afterward acquired within a specified period.

This bill would provide that the judgment lien thereby created attaches to real property containing a dwelling, notwithstanding a judicial determination that such real property is exempt from execution

Under existing law there is no requirement that the issuance of a writ of execution against a dwelling be preceded by a court order authorizing such issuance

This bill would generally prohibit the issuance of a writ of execution against a dwelling unless it is first determined by the court that the dwelling is not exempt, or, if exempt, that the creditor is entitled to reach the interest of the debtor to the extent it exceeds the applicable exemption provided by law, and would establish the procedure for such a determination

It would also make related changes.

This bill would provide that its provisions shall not be construed to alter, change, or modify the rights of any lienholder or encumbrances vested prior to July 1, 1977, or the operative date of Chapter 1251 of the Statutes of 1974

The provisions of the bill would become operative on July 1, 1977

Ch 1001 (AB 2742) Kapiloff. Franchises

Existing law provides that in all future franchise agreements no retail gasoline dealer who operates pursuant to a franchise shall be precluded by the franchisor from establishing his own hours of business or operation at any time that an adequate supply of gasoline is not available

This bill would provide that the franchisee may not be precluded from establishing his own hours of business beyond the hour of 10:00 p.m. and prior to 6:00 a.m.

This bill also would delete the limitation that such provision applies only to times when an adequate supply of gasoline is not available.

This bill also provides that its provisions are not applicable where different hours of operation are required in a lease with certain governmental entities, or where the service station subject to the franchise is located within one-half mile access of any highway which is part of the California freeway and expressway system, and are not applicable to a business which is not primarily a gasoline station, but which sells gasoline incidentally to its business

Ch. 1002 (AB 2789) Knox False advertising.

Existing law authorizes the Director of Consumer Affairs, the Attorney General, any city attorney, or any district attorney acting with the approval of the Attorney General, to request in writing evidence of the facts upon which certain advertising claims are based.

This bill would delete the requirement, with respect to such advertising claims, that a district attorney secure the approval of the Attorney General, and would require, instead, a district attorney to give prior notice to the Attorney General. The bill also would require a city attorney to give prior notice of such request to the Attorney General.

Ch 1003 (AB 3089) Hughes Schools instructional materials

Existing law provides a selection process for the acquisition of instructional materials by the State Board of Education for use in the elementary schools

This bill would redefine "instructional materials system" for purposes of the provisions which provide for such selection process

This bill would make various changes in provisions which require the public display of proposed instructional materials

This bill would also make related technical changes

Current law prohibits the State Board of Education from adopting less than two basic instructional materials systems per subject, per grade

This would delete the requirement that the instructional materials systems be basic and further specify that such deletion will not become operative if Senate Bill No. 1972 is enacted.

Ch 1004 (AB 3229) Sieroty Peace officers: refusal to work.

Existing law provides that any person who carries concealed within any vehicle or upon his person any pistol, revolver or other firearm capable of being concealed upon the person without having a license to carry such firearm is guilty of either a misdemeanor or a felony. Further, every person who carries a loaded firearm on his person or in a vehicle while in any public place or [on] * any street in an incorporated city or [in] * a prohibited area of unincorporated territory is guilty of a misdemeanor. Specified peace officers and persons summoned by such officers to assist in making arrests or preserving the peace are excepted from such prohibitions

This bill would provide that such exceptions shall not be applicable to any person while engaged in picketing or any other informational activity in a public place relating to a concerted refusal to work

The bill would also prohibit such persons from wearing a peace officers uniform or carrying a deadly weapon

This bill also provides that neither appropriation is made nor reimbursement for a specified reason.

Ch. 1005 (AB 3279) Fazio. Judicial relief

Existing law provides that any person performing or proposing to perform an act of unfair competition within this state may be enjoined in any court of competent jurisdiction or may be liable for a specified civil penalty.

This bill, in addition, would expressly authorize a court, in the event of an act or proposed act of unfair competition, to make such orders or judgments, including the appointment of a receiver, necessary to prevent the use of any practice which constitutes unfair competition or necessary to restore to any person any money or property which may have been acquired by means of such unfair competition. It also would expressly provide that, unless otherwise provided, the remedies or penalties provided for such acts of unfair competition are cumulative to each other and to the remedies or penalties available under all other laws of this state.

Ch. 1006 (AB 3280) Fazio. Injunctions.

Under existing law, a person engaged in certain unfair trade practices involving unfair competition is liable for a civil penalty not to exceed \$2,500 for each act. In addition, an injunction may be obtained to prohibit such acts.

Under existing law, a person violating such an injunction may be found in contempt by the court that issued the injunction and, among other things, may be liable for a penalty not to exceed \$500 for each violation.

This bill would provide that a person who violates certain injunctions relating to unfair trade practices involving unfair competition would be liable for a civil penalty not to exceed \$6,000 for each violation. The amount of the penalty would be set by the court in accordance with specified criteria. An action to recover the penalty could be brought in specified courts, by the Attorney General, district attorneys, or city attorneys. The bill provides for the payment of such penalty to the state, counties, or cities, or a combination, depending on who brought the action.

Ch. 1007 (AB 3385) McVittie. Livestock: California Beef Council.

Under existing law, the California Beef Council consists of 20 members and 20 alternates.

This bill would require the Director of Food and Agriculture to appoint 1 additional member and 1 additional alternate to represent the general public on the council

Ch. 1008 (AB 3424) Wilson. Restraints.

Existing law authorizes the Attorney General to bring a civil action on behalf of the state or any of its political subdivisions or public agencies to recover damages resulting from a violation of the state and federal provisions prohibiting restraints on competition.

Existing law also specifies that, of the moneys received in payment of fines imposed for violation of prohibited restraints on competition, 75% is to be paid to the State Treasurer and 25% is to be paid to the treasurer of the county in which the prosecution is conducted.

This bill would revise such distribution of moneys by specifying that 100% is to be paid to the state if such moneys resulted from an action initiated and prosecuted by the Attorney General. Where the action is initiated and prosecuted by a district attorney then 100% is to be paid to the county in which such prosecution is conducted. Where such action was initiated and prosecuted jointly by the Attorney General and a district attorney the distribution is to be made as agreed upon by the Attorney General and such district attorney and as approved by the court

Ch. 1009 (AB 3464) Hughes. Unemployment insurance. employer contributions

The existing law includes an elective coverage agreement which provides for the payment into the Unemployment Fund of the additional cost of benefits paid under such election in lieu of contributions required of employers, as one of several factors used in determining the balance in the Unemployment Fund for purposes of determining employer contribution rates.

This bill would delete such elective coverage agreements as one of the factors used in determining the balance in the Unemployment Fund for purposes of determining employer contribution rates.

The bill would also appropriate \$41,000 to the State Controller for specified reimburse-

ments to local governments.

This bill would take effect immediately as an urgency statute

Ch 1010 (AB 3100) Greene Education Code: reorganization

The Education Code was last revised in 1959

This bill would repeal the current version of the Education Code and would enact a reorganized Education Code and in so doing would provide for the separate grouping of provisions related to: (1) all levels of education in general, (2) education in public elementary schools and high schools, and (3) postsecondary education

This bill would also make numerous technical changes in connection with the reorganization of the code

Ch 1011 (AB 3101) Greene Education Code

Assembly Bill No 3100 proposes a reorganization of the Education Code

This bill would make various technical changes in the provisions of the proposed reorganization of the Education Code.

This bill would also provide that the proposed reorganization shall not become operative until April 30, 1977

Ch 1012 (AB 3030) Siegler Education.

Existing law authorizes the Director of Education, with the approval of the Director of Finance, to accept on behalf of, and in the name of, the state such gifts, donations, bequests, and devises as may be made to the Department of Education, or to any school or other institution administered by the director of the department.

This bill would instead provide that the Director of Finance may give the Director of Education such authority.

Present law provides for the establishment of the California Education Information System in the Department of Education to establish, conduct, and by continuous concern keep up to date a basic, integrated, statewide information system for education.

This bill would authorize the department to enter into nonexclusive licenses with public and private agencies within or outside of the state to permit the use of the system and to contract with such agencies to perform any functions presently required of the department. It would delete the provision of existing law specifying the information processing capabilities of the system, revise the duties of the department with regard to the system, and repeal the section requiring an annual survey of school district participation in the system

Existing law authorizes school districts to establish dropout prevention programs upon the approval of the State Board of Education.

This bill would (1) eliminate the requirement that the State Board of Education submit an annual report to the Legislature on the success of such program, (2) repeal an obsolete provision regarding distribution of the results in exemplary programs; and (3) delete references to federal funding of such programs

It also would redefine the term "current expense of education" as used in the section formulating the percentage required to be expended by a district for salaries of classroom teachers.

This bill would make additional changes in Sec 17503, Education Code, proposed by AB 2836, to be operative only if this bill and AB 2836 are both chaptered and become effective January 1, 1977, and this bill is chaptered after AB 2836

Ch 1013 (AB 3893) Suitt. Alcoholic beverages

Existing law provides that the Department of Alcoholic Beverage Control may issue one club license to any club, as defined.

For the purposes of the above, this bill would define "club" to include any Hidalgo Society

This bill would not provide for reimbursement of any costs which may be incurred by local governmental entities for specified purposes

Ch 1014 (AB 4313) Suitt ROC, ROP work experience education

(1) Under existing law, the governing board of any high school district is specifically authorized to establish and maintain cooperative vocational courses in accordance with standards prescribed by the State Board of Education

This bill would also specifically authorize the governing board of any joint powers regional occupational center or program or the county superintendent of schools of any county operated regional occupational center or program to establish and maintain vocational education programs, at a regional occupational center or program under its or his jurisdiction

(2) Currently the governing board of any district maintaining a high school or community college is specifically authorized to provide work experience education which includes the employment of pupils in part-time jobs

This bill would provide that attendance in work experience classes or programs maintained by a regional occupational center or program shall not receive state apportionments unless the classes or programs conform to vocational education program standards.

This bill would also provide that a student enrolled in cooperative vocational education conducted by a regional occupational center or program shall not be credited with more than one day of attendance in any calendar day for purposes of such programs

Ch 1015 (SB 2101) Presley Controlled substances: prescriptions.

The California Uniform Controlled Substances Act requires any physician and surgeon, dentist, veterinarian, or podiatrist who issues a prescription for, or dispenses or administers, a Schedule II controlled substance to make a record of the transaction.

For purposes of such act, a "practitioner" is defined to include a physician, dentist, veterinarian, podiatrist, scientific investigator, other specified persons, and specified institutions that are licensed, registered, or otherwise permitted to distribute, dispense, or conduct research with respect to, or to administer, a controlled substance under specified circumstances

This bill would require every practitioner other than a pharmacist, who issues a prescription, or dispenses or administers, a Schedule II controlled substance to make a record of the transaction

The bill would provide that neither appropriation is made nor obligation created for the reimbursement of local agencies for any costs incurred by them pursuant to this bill because of a specified reason

Ch. 1016 (AB 182) Berman. Attorneys: solicitation and procurement of business for

Present law makes it a misdemeanor for any person to act as a runner or capper for an attorney or to solicit business for an attorney in or about state prisons, jails, hospitals, courts or various other places. Violation is now punishable by a fine of between \$100 and \$500, or by imprisonment for not less than one month nor more than six months, or by both such fine and imprisonment. The Rules of Professional Conduct of the State Bar of California also prohibit attorneys from soliciting professional employment.

This bill would in addition make it unlawful for any person to solicit another person to commit or join in committing such unlawful solicitation and procurement of business for attorneys. It would also create a presumption of fraudulent execution in obtaining a release from a liability claim from any individual who is initially admitted to a medical facility for treatment of the injury alleged to have given rise to such claim within 15 days of such admission or prior to release from the facility, whichever occurs first. In addition, punishment is increased to imprisonment of not more than six months in county jail or fine of not more than \$5,000, or by both such fine and imprisonment

The bill provides that nothing in this act shall be construed to affect any prosecution commenced prior to January 1, 1977.

The bill provides that no appropriation is made for reimbursement of local agencies for costs incurred by them pursuant to this act because the Legislature recognizes that during any legislative session a variety of changes to laws relating to crimes and infractions may cause both increased and decreased costs to local government entities and school districts which, in the aggregate, do not result in significant identifiable cost changes.

Ch. 1017 (AB 467) Berman Workers

(1) Existing law specifies that, in computing annual earnings under the Workers' Compensation Law for the purposes of temporary disability indemnity and permanent total disability indemnity, the average weekly earnings shall, with certain exceptions, be taken at not less than \$52.50 nor more than \$178.50. For permanent partial disability indemnity, such earnings are taken at not less than \$30 nor more than \$105.

This bill would, for the purposes of temporary disability indemnity and permanent total disability indemnity, increase the maximum average weekly earnings so determined to \$231, and would increase the minimum average weekly earnings for permanent partial disability indemnity to \$45.

(2) The existing law permits the Administrative Director of the Division of Industrial Accidents to appoint a qualified permanent disability rating specialist as permanent rating chief.

This bill would instead require the administrative director to establish within the division a Disability Evaluation Bureau and to appoint a qualified specialist in the evaluation of permanent disability to serve as chief of the bureau.

(3) The existing law requires the administrative director to establish within the division a rehabilitation unit.

This bill would also require the administrative director to establish and effect within the division a continuing program to provide information and assistance concerning rights, benefits, and obligations under the Workers' Compensation Law to employers and employees.

(4) Existing law provides a workers' compensation death benefit amount of \$40,000, except in the case of a surviving widow with one or more dependent minor children, in which case the death benefit is \$45,000.

This bill would increase such sums to \$50,000 and \$55,000, respectively.

(5) The existing law permits the administrative director to adopt an official minimum medical fee schedule.

This bill would require the administrative director to adopt such a schedule not less frequently than biannually.

The schedule would be prima facie evidence of the reasonableness of the fees.

This bill would also add provisions which would

(6) (A) Require the administrative director to make information and advice concerning workers' compensation available to interested parties,

(B) Permit any party to consult with, or seek the advice of, an information and assistance officer designated by the administrative director, the information and assistance officer's duties would be prescribed.

This bill would appropriate \$3,720,500 to the State Controller for allocation and disbursement to any local agency for costs incurred by it pursuant to this bill.

Ch 1018 (AB 1361) Wornum School crossing guards

Existing provisions of statutory law make it a misdemeanor to disregard any traffic signal or direction of a nonstudent school crossing guard authorized by any city police department or the Department of the California Highway Patrol. The Vehicle Code does not specifically authorize the board of supervisors of a county to appoint nonstudent school crossing guards.

This bill would make it a misdemeanor, in addition, to disregard a nonstudent school crossing guard who is authorized by the board of supervisors of a county. This bill would also specifically permit the board of supervisors of a county and the legislative body of a municipality to adopt rules and regulations by ordinance or resolution that provide for the appointment of nonstudent school crossing guards for the protection of persons who are crossing a street or highway in the vicinity of a school or while returning thereafter to a place of safety. Disregarding such persons who are thus appointed would also be made a misdemeanor.

In addition, existing law provides that local authorities may authorize persons to regulate traffic at the site of road or street construction or maintenance if the local authority has submitted and has had approved by the Commissioner of the Highway Patrol or chief law enforcement officer of the area in which the duties are to be performed, a program which will provide sufficient training for such duty.

The bill would amend such provisions to allow such authorization without requiring

an approved training program for such persons and would make a technical change.

This bill would incorporate additional changes in Section 21100, Vehicle Code, proposed by AB 1664 to be effective only if this bill and AB 1664 are both chaptered and become effective January 1, 1977, and this bill is chaptered last. AB 1664 has already been chaptered (Ch. 213, Stats 1976).

Ch. 1019 (AB 1388) Arnett. Fish and game: mollusks and turtles

(1) Existing law does not specifically authorize the Fish and Game Commission to adopt regulations which permit the movement of native and nonnative mollusks from Districts 12 and 13 to be purified for human consumption.

The bill would specifically make such authorization but provide that mollusks taken pursuant to such regulations may not be used for human consumption unless approved by the State Department of Health.

(2) Existing law permits the State Department of Health to classify waters for purposes of prohibiting the taking of shellfish from such waters if such taking constitutes a menace to the health or lives of human beings.

This bill would authorize the State Department of Health to make sanitary surveys or use other specified sanitary surveys to classify waters for purposes of moving mollusks for such purification.

(3) Existing law does not provide for a royalty to be paid the state for mollusks moved for such purpose.

The bill would provide for such a royalty.

(4) Under existing law, there are comprehensive provisions which permit the Department of Fish and Game to license the importation and sale of green sea turtles, or products thereof, in California. These comprehensive provisions would be repealed January 1, 1977.

The bill would extend the duration of these provisions until July 1, 1977.

Ch. 1020 (AB 1763) Wornum. Animals: dogs; damage; study.

(1) There is no existing law which requires any agency of the state to study problems created by feral dogs in the state.

This bill would require the Department of Fish and Game to study the extent and variety of problems created by feral dogs in this state, including the problems of feral dog depredation on wildlife and domestic livestock, and presently available solutions to these problems, to consult with other appropriate agencies, and to report its findings and recommendations to the Legislature, not later than January 3, 1977.

This bill would also appropriate \$20,000 to the department for purposes of carrying out such provisions.

Ch. 1021 (AB 2116) Wornum. Alcoholic beverages

Existing law limits the number of on-sale general alcoholic beverage licenses which may be issued in any county based on the ratio of licenses to specific number of inhabitants in the county. The law provides that premises owned by the state, any incorporated city, county, city and county, airport district, or other district or public corporation of the state or to premises leased to any county, shall be exempt from such limitation provided such premises are operated as a bona fide public eating place.

This bill would provide that any civic auditoriums owned by any city, county, or district or any premises leased to any county [or city] * for use as a civic auditorium requesting a license and directly operated by a public entity shall be subject to the limitation on the number of on-sale general alcoholic beverage licenses which may be issued in any county based upon the ratio of licenses to a specific number of inhabitants in the county but shall not be required to be operated as a bona fide eating place. The bill would provide that such civic auditoriums shall not be subject to the prohibition against the issuance of new original public premises licenses.

This bill provides that the additional fees that would be collected pursuant to this bill would be deposited in the General Fund.

The bill makes related changes.

Ch 1022 (AB 2372) Nestande Public Employees' Retirement System.

Existing Public Employees' Retirement Law permits the governing board of school districts to establish a method of recovering the amount paid by the district for service credit for certain employees of student body organizations

This bill would require any amounts so recovered by the school district from the employee to be credited to the employee's membership account.

This bill would also provide that there are no state-mandated local costs that require reimbursement under Section 2231 of the Revenue and Taxation Code because there are no new duties, obligations, or responsibilities imposed on local government by the act

This bill would take effect immediately as an urgency statute

Ch 1023 (AB 2620) Chappie Feather River recreation

Under existing law the Department of Water Resources is authorized to construct a flashboard dam at or near the former Western Canal Dam site on the Feather River below the City of Oroville for recreational purposes substantially in accordance with a specified plan, and is authorized to exercise specified powers for such purpose Under existing law it is the responsibility of the department to maintain and operate such dam The appropriation to construct such dam will expire on June 30, 1976

This bill would instead authorize the department to construct a recreation project in the vicinity of the City of Oroville along the Feather River The bill would make such construction contingent upon a favorable environmental impact determination, and upon the execution of an agreement with a local public agency to fund any costs exceeding \$1,200,000, and all maintenance costs The bill would also appropriate a prescribed amount from the Bagley Conservation Fund to the department for such construction Such appropriation would be available for expenditure until June 30, 1979.

The bill would also delete existing provisions of law authorizing the Department of Parks and Recreation to develop and operate the recreational facilities substantially in accordance with such plan and specifying that funds appropriated by the Budget Act of 1973 may be expended only for planning and land acquisition purposes until such time as the state has entered into contracts with local public agencies for the operation and maintenance of the recreational facilities

The bill would take effect immediately as an urgency statute

Ch 1024 (AB 2819) Beverly Refiling criminal actions.

Under existing law, where a felony action is dismissed because the prosecutor failed to proceed with the action within required time limits, or for certain other reasons, the accusatory pleading may generally be refiled If refiled, the defendant generally must be arrested and taken before a magistrate

This bill would provide that, in those cases where the defendant had been released on his own recognizance on the dismissed action, if the action is refiled, the district attorney would notify the defendant and his counsel by mail of the time and place to appear for arraignment If the defendant does not appear, a warrant for his arrest would be issued If the defendant appears, as required, he would again be released on his own recognizance, unless it is shown that changed conditions require that bail be set, in which case bail would be set at the discretion of the judge.

This bill would provide that, notwithstanding Sec. 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by this act for a specified reason.

Ch 1025 (AB 2836) Egeland. Public schools' teachers' salaries.

Current state law requires a specified percentage of each kind of school district's "current expense of education," as defined, to be expended each fiscal year for certificated employee salaries.

This bill would revise the definition of "current expense of education" to exclude expenditures from categorical aid received from the federal or state government which is granted for use in any program not incurring any teacher salary expense or requiring disbursement of the funds without regard to the provision amended by this bill

This bill would become operative on July 1, 1977

This bill would make additional changes in Sec 17503, Education Code, proposed by AB 3030, to be operative only if this bill and AB 3030 are both chaptered and effective

January 1, 1977, and this bill is chaptered after AB 3030

Ch 1026 (AB 2880) Vincent Thomas Abalone taking for commercial purposes

(1) Existing law limits the manner and the areas from which abalone may be taken for commercial purposes

The bill would prohibit such taking in the mainland coastal waters from Palos Verdes in Los Angeles County to Dana Point in Orange County until March 1, 1982.

(2) Under existing law, within one mile of Anacapa and Santa Cruz Islands, black abalone may be taken for use as bait in lobster traps during the season for taking lobsters, as specified.

This bill would, instead, provide that (1) it is unlawful for any person to take black abalone for any purpose within one mile of Santa Cruz and Anacapa Islands, and that (2) it is unlawful for any person to possess black abalone on any boat within one mile of Anacapa Island, unless the person is going to, coming from, or taking refuge from weather in Frenchies Harbor or at anchorages near Cat Rock and East Fish Camp, and within one mile of Santa Cruz Island except in a specified area of the southerly side of the island or when going to, coming from, or taking refuge from weather in Prisoners Harbor

(3) Assembly Bill No. 2224 of the 1975-76 Regular Session would revise provisions governing the taking of abalone for commercial purposes until January 1, 1981

This bill would make clarifications and technical changes in the provisions which would be enacted by AB 2224, to be operative only if AB 2224 is chaptered and becomes operative.

Ch 1027 (AB 2887) Bannai State and county retirement systems. war relocation leave.

The Public Employees' Retirement Law presently permits certain state employees who were ordered to evacuate and relocate during World War II to receive public service credit for "war relocation leave" and until 1975 previously required such members to pay both employer and member contributions for such credit. This bill would permit retired persons to apply prior to July 1, 1977, and receive a refund of such employer contributions. Contracting agencies would also be permitted to elect to provide public service credit for local members who are eligible for such "war relocation leave" and to elect to refund all or any portion of the employer contributions that were paid by a member or retired person for such time.

The County Employees Retirement Law of 1937 does not provide service credit for county employees who were ordered to evacuate and relocate during World War II. This bill would permit counties to elect to provide credit for "war relocation absence" as defined upon payment of specified member contributions.

Ch 1028 (AB 3047) McVittie. Estate disposition without administration

Existing law permits the distribution of an estate consisting entirely of personal property which does not exceed \$10,000 in value to be distributed through summary probate procedures.

This bill would increase the amount of estates which could be so distributed to \$20,000.

Existing law specifies which persons have the right to receive the property for the purposes of distribution under this summary procedure.

This bill would add to that group of persons the trustee of a trust executed by the decedent the primary beneficiaries of which trust bear a specified relationship to the decedent and would permit the eligible persons to receive such property directly.

Existing law permits estates not exceeding \$10,000 in value to be summarily set aside or assigned to a surviving spouse or minor child according to a specified procedure.

This bill would increase the amount of estates which could be so set aside or assigned to \$20,000 and would provide that such surviving spouse or minor child would be personally liable for the unsecured debts of the decedent, not to exceed the value of the estate, as specified, for a period of one year after the estate so set aside vests in the surviving spouse or minor child.

Existing law provides that an appeal may be taken from an order setting aside an estate claimed not to exceed \$10,000 in value.

This bill would increase such amount not to exceed \$20,000 in value.

Ch 1029 (AB 3249) Foran. Labor: wage and benefit assignments.

Existing law permits the Labor Commissioner to accept from employees assignments of claims for wages and other specified benefits, and to prosecute actions for their collection in certain cases. Existing law does not allow the Labor Commissioner to prosecute claims for persons other than those making assignments to him. Existing law does not provide for collective bargaining representatives of employees covered by collective bargaining agreements to take assignments of such claims.

This bill would permit the collective bargaining representative of employees covered by a collective bargaining agreement to be the assignee of all covered employees for purposes of filing claims with the Labor Commissioner for wages, subject to the option of the employee to reject such representation and to represent himself or herself.

Ch. 1030 (AB 3341) Chimbole. Air pollution. gasoline vapor control systems.

(1) Under existing law, there is no statutory provision that prohibits the leasing of a gasoline service station by the owner thereof which is not equipped with required gasoline vapor control systems

This bill would prohibit the owner of a station from entering into a lease with any person for the leasing of the station for the purpose of operating a gasoline service station if it is not equipped with such a system of a type that is required by law, or by any rule or regulation of the State Air Resources Board or of the air pollution control district in which the station is located, unless no system has been certified by the state board prior to the date of the lease.

(2) Under existing law, no person may install a gasoline vapor control system not certified by the state board

This bill would require the manufacturer of a system to submit it to, or a component thereof if that is requested by, the State [Fire] * Marshal and the Division of Measurement Standards of the Department of Food and Agriculture for their certification prior to certification of the system by the state board. Certification of the system by the Division of Industrial Safety of the Department of Industrial Relations would also be required if this division determines that the system, or a component thereof, constitutes a safety hazard other than a fire hazard

The bill would specify what are the duties and functions of these 3 state agencies in the certification of the systems and what the rules and regulations that they are required to adopt would encompass.

The bill would prohibit any local or regional entity, other than an air pollution control district, from prohibiting the installation of a certified system.

(3) The bill would make no appropriation nor provide for the reimbursement of any local agency for any costs incurred by it pursuant to this bill for a specified reason.

(4) The bill would take effect immediately as an urgency statute

Ch. 1031 (AB 3392) Wilson. Unaccredited law schools.

Existing law does not require law schools to make any disclosure statement to students prior to their enrollment or the payment of fees.

This bill would require unaccredited law schools to make a disclosure statement to each student subsequent to any application fee but prior to payment of any registration fee by the student. The disclosure statement would be required to be signed by the student who will receive as a receipt a copy thereof. The disclosure statement would contain information regarding the school's unaccredited status and financial position, the success of students in the bar examinations, the size of the library, the qualifications of the faculty, the ratio of faculty to students, the school's attempts to obtain accreditation, and a proviso that the education provided may not satisfy requirements of other states for the practice of law. Correspondence schools would be exempt from furnishing certain of this information

This bill would require the Superintendent of Public Instruction and the Attorney General to enforce this bill, as specified.

Ch 1032 (AB 3396) Dixon. School pupils truancy

Existing law authorizes specified persons to arrest or assume temporary custody of a minor under designated conditions relating to unauthorized absences from school and requires such persons to deliver the minor to any of a number of persons or places,

including nonsecure youth services or community centers designated by the school or district for counseling, prior to returning such minor to his home or school

This bill would provide that such a minor may also be delivered to a school counselor or pupil services and attendance officer located at a police station

Ch. 1033 (AB 3404) Suitl. Public utilities: master meters.

Existing law does not impose on public utilities, utilities owned by municipal corporations, municipal utility districts, and public utility districts, a requirement that where utility service is provided to residential users through a master meter that the utility make every good faith effort to inform the actual users when the amount due on the account is in arrears and service will be terminated.

This bill would impose such requirement and provide that the notice also inform the actual users that they have the right to become utility customers without being required to pay the amount due on the account.

The bill would establish conditions under which the utility would be obligated to make service available to the actual users of the utility system. The bill would permit actual users becoming customers under these provisions whose periodic payments include utility costs not separately stated to deduct utility charges

The bill would provide that neither appropriation is made nor obligation is created for the reimbursement of any local agency for any costs incurred by it pursuant to this bill for a specified reason.

Ch. 1034 (AB 3441) Hart Child support orders: enforcement—modification.

Existing law requires district attorneys, whenever a family ceases to receive aid to families with dependent children, to continue to enforce support payments from the noncustodial parent, at the request of the custodial parent

This bill would delete the requirement of a request from the custodial parent.

Existing law requires the Attorney General to forward requests from district attorneys for treasury department collection to enforce specified child support orders, to specified federal officials.

This bill would qualify such requirement to when such forwarding is appropriate

This bill would also specify that district attorneys, in bringing any action or proceeding to establish or enforce a child support obligation, are exempt from paying specified fees and costs.

Ch. 1035 (AB 3451) Nestande. Prescription of controlled substances.

Under present law, controlled substances subject to the California Uniform Controlled Substances Act are defined and set forth in 5 schedules in such act.

This bill would provide, for purposes of a portion of the California Uniform Controlled Substances Act relating to prescriptions and prescription offenses, that controlled substances subject to such provisions are those specified in the Federal Controlled Substances Act and that references in such prescription-related provisions to controlled substances classified in a particular schedule shall be deemed to be a reference to the corresponding federal schedule, rather than to the schedules of controlled substances set forth in the California Uniform Controlled Substances Act

This bill would incorporate additional changes in Sections 11054, 11056, and 11057 of the Health and Safety Code proposed by SB 2092, to be operative only if this bill and SB 2092 are both chaptered and become effective January 1, 1977, and this bill is chaptered last.

This bill would provide that no appropriation would be made by it to reimburse local agencies for costs incurred by them under the bill for a specified reason

Ch 1036 (AB 3471) Berman. Workers' compensation. uninsured employers

Existing law declares the conduct or operation of any business or undertaking without full workers' compensation security to be a nuisance which may be abated by a suit brought by the Director of Industrial Relations.

This bill would, instead, make such conduct or operation subject to the imposition of business strictures and monetary penalties by the director, including court suits

Existing law authorizes the director to serve upon an unlawfully uninsured employer a written notice demanding compliance with the compensation requirements

This bill would delete such notice authorization and, instead, require the director to issue a stop order to such employer prohibiting the use of employee labor until the employer so complies. The employer would be required to pay the employees affected by such stop order for their lost time, not exceeding 10 days. The employer would also, in designated circumstances, be required to pay an additional penalty of \$100 for each employee unlawfully uninsured at the time the stop order is issued and an additional penalty of \$100 per employee even if a finding is made that the employee's injury is not compensable.

Existing law makes failure to secure the payment of workers' compensation a misdemeanor.

This bill would instead, make the violation of a stop order issued by the director a misdemeanor, and would specify that fines thereon shall be deposited in the Uninsured Employers Fund. The director would also be authorized to seek injunctive and other relief from the courts to carry out the stop order provisions.

Existing law requires employers, upon demand by the director, to furnish a written statement concerning their compliance with the compensation requirements.

This bill would impose a \$50 penalty upon any employer who fails to respond to such demand.

Existing law requires every employer subject to the Workers' Compensation Law to post and keep posted in a conspicuous location at his place of employment a notice stating the name of the employer's current compensation insurance carrier, or, if self-insured, a statement to such effect.

This bill would require the posting of an additional notice containing the expiration date of the current compensation coverage and the telephone number of the nearest office of the Labor Commissioner, together with a specified invitation to call such number.

Existing law does not specify who shall represent the director and the state in proceedings concerning illegally uninsured employers.

This bill would require the Attorney General or with the Attorney General's permission, attorneys of the department, to represent the director and the state in such proceedings and make related changes in the provisions relating to uninsured employers. It would also specify that the expenses from such proceedings shall be reimbursed from funds appropriated to the Uninsured Employers Fund. This bill would further specify that the plaintiff shall be entitled to costs and reasonable attorney's fees in civil actions, based on specified findings and awards, against illegally uninsured employers.

This bill would delete the provision in existing law that, in actions against an illegally uninsured employer, the amount of any penalty paid or recovered from such employer for the period not exceeding 6 months during which the injury or disease occurred shall be credited against the amount of any judgment for compensation recovered in the civil action based on a finding and award of the appeals board.

Existing law directs the Administrative Director of the Division of Industrial Accidents to file specified certificates constituting certain liens against illegally uninsured employers, and to cancel such liens upon payment of all amounts due.

This bill would transfer such duty and authority to the Director of the Department of Industrial Relations and make various changes in such lien provisions.

Existing law provides that if, after a claim for compensation has been filed, the appeals board finds that any employer has not secured the required payment of compensation, the appeals board shall so notify the director and the employer, and the employer shall, within 20 days thereafter, furnish the director with the payroll covering the period of 12 months prior to the date of notification, and shall pay, as a penalty, into the Uninsured Employers Fund an amount equal to the amount of premium applicable to such payroll which would have been due had the employer been insured therefor by the State Compensation Fund. If the employer does not furnish the payroll and pay the applicable penalty within 20 days, the director is required to make an assessment of the penalty due from the employer and give the employer specified written notice of such assessment.

This bill would instead require such notification to the director and the employer to be by mail and, within 10 days after service, the employer would be required to pay a penalty of \$500 for each employee uninsured on the date of the injury which initiated the claim, to a maximum of \$10,000. If the employer fails to submit a statement indicating

the number of his employees on such date, and fails to pay the specified penalty, the director would be required to make a penalty assessment and give the employer written notice thereof

This bill would delete the provision in existing law which specifies that a penalty assessment, or a specified judgment thereon, shall not be a bar to an adjustment of an employer's account upon the employer furnishing his payroll records to the director

This bill would also authorize the director to draw specified sums from the State Treasury, out of moneys appropriated to the Uninsured Employers Fund, without vouchers or itemized statements, for designated purposes. This bill would also appropriate all moneys in the Uninsured Employers Fund to the director to pay compensation benefits to employees of illegally uninsured employers, and to pay the director's expenses in administering this bill

This bill also makes certain related changes and repeals inconsistent provisions

This bill appropriates \$2,000,000 to the Uninsured Employers Fund for designated purposes.

This bill would also require the Director of Industrial Relations to make designated annual reports to the Legislature and the Governor concerning the amount necessary to maintain the solvency of the Uninsured Employers Fund.

This bill would take effect immediately as an urgency statute

Ch 1037 (AB 3496) Wilson Public utilities meters

Existing law authorizes the Public Utilities Commission to establish reasonable standards, classifications, regulations, practices, measurements, or service to be adhered to by all electrical, gas, water, and heat corporations

This bill would require the commission to require public utilities that estimate meter readings to so indicate on their billing, and to require any such estimate which is incorrect to be corrected by the next billing period with an exception in cases of unusual conditions or for reasons beyond its control due to weather

This bill would incorporate additional changes in Section 770, Public Utilities Code, proposed by Senate Bill No 2078

Ch. 1038 (AB 3539) Ralph. State publications: listings

Existing law requires the State Printer to issue monthly or quarterly a complete list of state publications issued during the preceding month or quarter

This bill would require the State Library, rather than the State Printer, to issue such lists

The bill would appropriate \$41,000 to the State Library for the purposes of its provisions.

This bill would become operative on July 1, 1977

Ch. 1039 (AB 3541) Egeland. Blood: skin puncture and venipuncture

Existing law authorizes licensed clinical laboratory bioanalysts, licensed clinical laboratory technologists, registered clinical laboratory trainees, and registered nurses to perform skin puncture and venipuncture for drawing blood if such acts are performed in a licensed blood bank and under the supervision of a licensed physician and surgeon.

This bill would authorize licensed vocational nurses to perform such skin puncture and venipuncture under the same conditions.

Ch. 1040 (AB 3562) Keene. Humboldt Bay tidelands

Under existing law, various tide and submerged lands in Humboldt Bay have been granted to the City of Arcata and the Humboldt Bay Harbor, Recreation, and Conservation District

This bill would direct the State Lands Commission, upon the application of, and with the approval of, Arcata or the district as to tidelands under their respective jurisdictions, to determine which lands owned or held by Arcata or the district have been filled, improved, and reclaimed in connection with the development of such lands, and are no longer in fact tidelands or submerged lands, and are no longer available, useful, or necessary for public commerce, navigation, and fishing, and to free such tidelands of the public trust for commerce, navigation, and fisheries upon recordation of specified certificates

The bill would authorize Arcata or the district, after consultation with and with the approval of the commission, to convey any portions of, or convey or relinquish any interests in, such lands described in any such certificate, and to establish the boundary, or compromise boundary lines of such lands, or otherwise settle any dispute concerning the nature and extent of its right, title, and interest in or to any portion of such lands.

The bill would specify terms and conditions for any such conveyance or settlement and provide for related matters.

This bill would also delete restrictions on the authority of the Humboldt Bay Harbor, Recreation, and Conservation District to grant or issue irrevocable franchises, leases, rights, or permits, except for irrevocable grants of fee title.

Ch 1041 (AB 3603) Lockyer. Labor: time of payment of wages

Existing law requires various agricultural employees to be paid at least once every calendar month or, if a farm labor contractor is the employer, once every 2 weeks.

This bill would, instead, require payment at least twice each calendar month to certain agricultural employees, as defined, and at least once every week to employees of farm labor contractors.

Existing law requires an employer, when terminating an employee, to pay the employee as wages for any vested vacation time in accordance with the contract of employment or employer policy, unless otherwise provided by a collective-bargaining agreement.

This bill would, in addition, prohibit an employment contract or employer policy from providing for forfeiture of vested vacation time upon termination, would require the Labor Commissioner to apply the principles of equity and fairness in the resolution of any dispute with regard to vested vacation time, and would specify that such provisions are declaratory of the existing law and the original intent of the Legislature in enacting the existing law.

Ch. 1042 (AB 3626) Greene. School districts; reorganization.

(1) Currently, in newly formed unified school districts the county superintendent of schools having jurisdiction over the district shall call an election for the purpose of choosing the first governing board with the call for the election to be issued not later than the fourth Tuesday of December next succeeding the creation of the district, and the election to be held on the first Tuesday after the first Monday in March next succeeding the call.

This bill would provide instead that the election shall be held on the first Tuesday after the first Monday in March, June, or November next succeeding the call.

(2) Existing statutory law prescribes a number of procedures for the reorganization of school district territory. Pursuant to such procedures, the reorganization may in some cases be effected with the consent of the voters of all of the districts involved or a majority of the members of the governing boards of the districts involved.

This bill would establish procedures and criteria whereby the formation of new elementary, high, and unified school districts may take place by petitioning the State Board of Education. The salient features of the petitioning process include:

(a) Providing for a governing board of the new school district or trustee areas, not to exceed 7,

(b) Requiring the county superintendent of schools to transmit petitions simultaneously to the county committee and the board,

(c) Requiring the county committee to prepare a report and recommendation with specified information to the board,

(d) Providing for criteria that the board must determine have been met before it may approve the proposal,

(e) Authorizing the board to provide for the division of school district property, funds, and student body funds,

(f) Authorizing the board to require county officers and school districts to provide statistical information necessary to study the proposal; and

(g) Authorizing the board to provide that petitions and board recommendations and plans be voted on as a single proposition.

This bill would revise various criteria utilized by the board in evaluating proposals for the formation of unified school districts and permit the waiver thereof in specified

instances, and would establish like criteria to be applied in the formation of other districts; and would make various related technical changes

The bill provides that neither appropriation is made nor obligation created for reimbursement of local agencies for any costs incurred by them pursuant to the act for a specified reason.

Ch 1043 (AB 3634) Mobley Mobilehomes: sales contracts.

Under existing law, the Department of Motor Vehicles is required under the Vehicle License Fee Law to determine the market value of a trailer coach required to be moved under permit on the basis of the cost price to the purchaser, for the purpose of collecting vehicle license fees.

This bill would require the dealer who sells a trailer coach required to be moved under a permit to state on a certificate attached to the sales contract the cost price upon which the vehicle license fee is computed separately from the cost of accessories or other charges for the mobilehomes.

The bill would require the department to determine what items are to be included and are not to be included in the cost price and the manner of computation of the cost price, and to notify every dealer authorized to sell a trailer coach required to be moved under a permit of such requirements

Ch. 1044 (AB 3646) William Thomas. Water district charges

Under existing law, any California water district formed on or after July 30, 1917, may, in lieu in whole or in part of raising money for district purposes by assessment, make water available to landowners or occupants and fix and collect charges, including stand-by charges, for such water. The district may use so much of the proceeds of the charges as may be necessary to defray the ordinary operation or maintenance expenses of the district.

This bill would permit such proceeds to be used for any other lawful district purpose.

Ch. 1045 (AB 3653) Sieroty. Criminal sentences

Under existing law, convicted persons are given credit against their sentences for time previously spent in custody, including credit at the rate of not less than \$20 per day of prior custody against any fine imposed.

This bill would include time spent in specified facilities within the definition of "custody," would increase the credit against fines to \$30 a day, would include various situations within the meaning of a "sentence" against which credit is granted, and would make related changes.

The existing law re felonies applies only to persons delivered to the custody of the Department of Corrections on or after March 4, 1972.

This bill would delete such limitation.

Existing law provides for service of sentence for nonpayment of fine at rate of one day per \$5 per Vehicle Code offenses and one per \$20 per other offenses

This bill would make such rate one day per \$30.

The bill also provides that neither appropriation is made nor shall there be reimbursement of any local agency for any costs incurred by it pursuant to the act for specified reasons.

Ch. 1046 (AB 3699) Papan. Property taxation: assessments

Under existing law, the assessor is required to annually assess all property subject to general property taxation according to its full value on March 1

This bill would require each assessor, on or before March 1, 1978, to file with the State Board of Equalization a plan for the orderly and sequential appraisal or reappraisal of all property within such assessor's county, to be completed within a cycle of no more than 5 years.

The bill would further require that its provisions not be interpreted to preclude an assessor from reappraising selected properties outside the area designated for a periodic appraisal, as needed, to maintain the equalization of all properties in the county, as required by existing constitutional provisions.

Additionally, existing law requires the state to appropriate funds to reimburse local agencies for costs mandated on them by the state.

This bill would waive such appropriation and reimbursement for a specified reason

The provisions of the bill would remain in effect until January 1, 1982.

Ch 1047 (AB 3742) Sieroty. Prisoners' neck devices

Existing law prohibits the use of specified devices to punish state prisoners. Devices placed around the neck are not so specified.

This bill would prohibit the placement of any mechanical restraint or chain around the neck of a prisoner by jail or prison employees for any purpose. Violation would be a misdemeanor.

The bill also provides that there shall be no reimbursement nor appropriation made by this act for a specified reason.

Ch. 1048 (AB 3758) Arnett. Private colleges and universities.

Currently, the California Educational Facilities Authority is empowered to borrow money and issue notes, bonds, and other securities, for the construction, acquisition, and operation of dormitories and educational facilities of private universities and colleges.

This bill would provide that the authority may refinance projects for the use and benefit of private colleges and the students, faculty, and staff of such colleges.

This bill would provide that the loan of funds and the issuance of bonds for the purpose of refinancing projects shall include the repayment of costs incurred for projects by the participating private institution and which have a completion date subsequent to December 29, 1969, rather than which have a completion date not later than March 6, 1976.

This bill would redefine "completion date" to mean, in the case of the acquisition of a project, the date of such acquisition, rather than the date on which the notice of completion is filed.

This bill would provide that the authority may make loans to any private college for the acquisition of projects.

This bill would make various related technical changes.

Ch. 1049 (AB 3764) Torres. Emissions standards for new motor vehicles, South Coast Air Quality Management District Board

(1) Existing law requires the State Air Resources Board to adopt and implement emissions standards for new motor vehicles that the board has found to be necessary and technologically feasible to carry out the purposes of laws relating to air pollution.

This bill would require the state board, prior to adopting such standards, to consider the impact of such standards on the economy of the state, including, but not limited to, their effect on motor vehicle fuel economy. The state board would be required to submit a report of its findings on which the standards are based to the Legislature within 30 days of adoption of the standards.

(2) Chapter 324 of the Statutes of 1976 will add provisions of law that will become effective January 1, 1977, which, among other things, will create the South Coast Air Quality Management District. The district will be governed by a board composed of various appointed members, one of whom will be a member of the City Council of Los Angeles appointed by the Mayor of Los Angeles and confirmed by the city council.

This bill would provide, instead, that the member of the City Council of Los Angeles to be appointed by the mayor will not be subject to confirmation by the city council.

Ch 1050 (AB 3779) Suitt. Youth Authority: working wards—wage payments.

Existing law authorizes requiring work by persons committed to the Youth Authority and prescribes use of moneys received pursuant to related contracts.

This bill would authorize payment from such moneys of wages to wards for work performed under such contracts, as specified.

Ch. 1051 (AB 3795) Thurman. California Seed Law: date of repeal of portions; limitation on expenditures.

Existing provisions of the California Seed Law pertaining to the Seed Advisory Board, the registration with the Director of Food and Agriculture of certain labelers and sellers of seeds, fees and assessments for such registration, and violations of such law are to remain in effect only until June 30, 1977, and as of that date are repealed.

This bill would extend such provisions so that they are to remain in effect indefinitely.

Existing provisions of the California Seed Law prohibit total expenditures from funds derived from registration fees and assessments paid pursuant to such law from exceeding

50% of the cost of carrying out the provisions of such law, excluding prescribed costs required to be paid by participants to conciliation or mediation of disputes

This bill would instead prohibit such expenditures from exceeding the cost of carrying out the provisions of such law, including only that portion of state seed laboratory activity involved in official samples, which shall not exceed one-third of the net operating cost of the state seed laboratory. This bill would also prohibit the analysis of official samples by such laboratory whenever the total cost of analysis of official samples by the department exceeds one-third of the net operating costs of such laboratory. The bill would also exclude from such expenditures the prescribed costs required to be paid by participants to conciliation or mediation of disputes.

Ch. 1052 (AB 3835) Ingalls. Park and recreation assessments.

Under existing law, when certain property is located outside of the boundaries of the irrigation district owning the property and it is leased to the state for a period of 25 years or more for park and recreation purposes for the benefit of the public, such property is required to be assessed as open-space lands and its full cash value to be determined by dividing the amount paid by the state under the lease by .07. Under existing law, such provisions may not be applicable to more than 2% of the total assessed value of property within a county.

This bill would extend such provisions to such property owned by county water districts and the Orange County Water District.

This bill would provide neither appropriation is made nor obligation created for the reimbursement of any local agency for any loss of revenue caused by the classification or exemption of property for purposes of ad valorem property taxation or for any costs incurred by it pursuant to the act.

Ch. 1053 (AB 3857) Duffly. Nursing schools.

Existing law requires registered nurses to submit proof of continuing education during a preceding two-year period at the time of license renewal.

This bill would create an inactive licensure status for those nurses wishing to retain a registered nurses' license. Persons in such inactive status would be exempted from the continuing education requirement and would be prohibited from practicing nursing.

Existing law requires the Board of Registered Nursing to deny accreditation to any school of nursing which does not offer all the courses required for licensure as a registered nurse within specified time limits including, among other things, the first 36 months of full-time training.

This bill would require the board to deny such accreditation on and after January 1, 1978 and would require such courses to be offered in the first 36 months of postsecondary training, as defined, rather than the first 36 months of full-time training.

The bill would specifically permit the Board of Registered Nurses to exempt from continuing education requirements licensees residing in another state or country, or for reasons of health, military status, or other good cause.

The bill would take effect immediately as an urgency statute.

Ch. 1054 (AB 3906) Hughes. Unemployment insurance: benefits.

(1) Existing law provides that vacation pay, sick pay, or holiday pay earned but not paid for services performed prior to termination of employment, shall not be construed to be wages or compensation for personal services for purposes of the unemployment insurance law.

This bill would, in addition, provide that vacation pay or holiday pay earned but not paid for services performed prior to commencement of unemployment caused by disability shall not be construed to be wages or compensation for personal services for such purposes.

This bill would provide that the amendments made by this bill shall be operative with respect to payments of vacation pay and holiday pay made on or after January 1, 1977.

(2) The Federal Compensation and Special Unemployment Assistance Extension Act of 1975 extended through December 31, 1975, the periods in which individuals could be paid up to 26 weeks of emergency unemployment compensation benefits. From January 1, 1976, through March 31, 1977, the insured unemployment rate in individual states determines whether emergency benefits are payable. When the insured unemployment

rate in a state is more than 5%, but less than 6%, the workers in that state can be paid up to 13 weeks of emergency benefits. When the rate is 6% or more, up to 26 weeks of emergency benefits are payable. When the insured unemployment rate in a state drops below the 6% or 5% level, however, unemployed workers in the state who are receiving emergency benefits can continue to receive such benefits. Benefits would continue for up to a maximum of 13 additional weeks, or, if less, the number of additional weeks of benefits the individual would have qualified for if the insured unemployment rate had not declined. The last week for which new claims for emergency benefits can be filed was changed by the federal act from the last week ending on or before December 31, 1976, to the last week ending on or before March 31, 1977.

This bill would make corresponding changes in pertinent state unemployment insurance laws.

(3) This bill also provides that neither appropriation is made nor obligation created for the reimbursement of any local agency or school district for any costs incurred by it pursuant to the act.

Ch. 1055 (AB 4009) Joint Committee on Aging. Aging.

Under current law there is a California Commission on Aging of 15 persons which is vested with the authority to, among other things, advise the Department of Aging.

This bill would change the composition of the commission and increase its membership to 25 persons.

This bill would also eliminate the commission's power to establish a statewide advisory body.

Ch. 1056 (AB 4013) Lewis. Air pollution.

Under existing law, the executive officer of the State Air Resources Board or any air pollution control officer having jurisdiction, or an authorized representative of such officer, upon presentation of credentials or upon securing an inspection warrant, has the right of entry to any premises on which an air pollution emission source is located to secure samples of emissions from that source.

This bill would authorize the state board or any air pollution control district board to adopt, by regulation, after a public hearing, a schedule of fees not exceeding the estimated costs of performing various tasks with respect to such samples of emissions.

The bill would also specify that no statutory provision regarding nonvehicular air pollution control shall include or restrict the temporary use of construction equipment in construction, maintenance, or repair, if such equipment is operated in accordance with district and state board rules and regulations.

Ch. 1057 (SB 1341) Alquist. Labor: collective bargaining agreements.

Existing law does not impose the terms and conditions of collective bargaining agreements between employers and labor organizations upon employers succeeding to contracting employers' businesses.

This bill would, if a collective bargaining agreement contains a successor clause, make binding upon any successor employer, as defined, any such agreement entered between an employer and a labor organization. A limit of 3 years from the effective date of the agreement would be placed upon enforcement of a successor clause. Certain exceptions would be provided. Employers who are parties to agreements containing successor clauses would have an affirmative duty to disclose such agreement and clause to a successor employer.

Ch. 1058 (SB 1684) Stiern. Personal income tax: withholding.

Under existing Personal Income Tax Law, every employer making payment of any wages to an employee subject to imposition of the personal income tax is required to withhold from such wages an amount of tax reasonably estimated to be due from including such payment in the employee's gross income.

This bill would specify that whether an individual provides equipment in the performance of services for remuneration shall not be considered in a determination of whether that individual is an employee for purposes of such withholding.

Ch 1059 (SB 1965) Way Liens agricultural laborers

Existing law makes no provision for a lien for unpaid wages of agricultural laborers.

This bill would grant a nonpossessory lien for labor and services to every person who as an employee, by his or her own labor, does or performs harvesting or transporting any crops or farm products. Such lien would attach to any and all of such severed crops or severed farm products or the proceeds from their sale. Such lien would attach whether the work done was at the instance of the owner who is the grower or producer of such severed crops or severed farm products or at the instance of any other person acting by or under the owner's authority, directly or indirectly. Such lien if based upon unpaid earnings would be limited to the lesser of two weeks earnings or the reasonable value of the actual labor done or 25% of the fair market value of the severed crop or severed farm product.

This bill would provide that the lien attaches from the date of the commencement of work or labor, by the lienholder.

This bill would provide with specified exception that the lien shall not be limited as to amount by any contract price agreed upon by the owner who is the grower or producer of crops or farm products and any contractor, except as specified, but would provide that the lien shall be limited in amount by the reasonable value of the lienholder's labor or by the price agreed upon for labor by the lienholder and the lienholder's employer. In no event, would the lien extend to labor or services not embraced within, not contemplated by, covered by, or reasonably necessary to the execution of, the original contract between the contractor and the owner, where the lienholder has actual notice of such contract, or modification thereof, before the performance of labor or services.

This bill would provide for the period of the lien's duration and would specify the conditions under which its duration would be extended.

It would also limit the maximum liability of severed crops, severed farm products or proceeds therefrom subject to liens to the lesser of actual proved claims or 25% of fair market value, or 25% of proceeds after sale.

The bill would provide for deposit of a surety bond or certificate of deposit as an alternative so that a lien could not be had against a grower or producer.

This bill would authorize the lienholder in a lien foreclosure suit to attach severed crops or severed farm products or the proceeds therefrom upon which the lien subsists, as provided under present law governing attachment and subject to additional specified requirements.

This bill would authorize the joinder of lienholders in a foreclosure suit and the consolidation of separate foreclosure suits. This bill would provide for the distribution of proceeds following a decree of foreclosure where there is a deficiency and would permit actions for the deficiency.

This bill would provide that nothing in the bill shall be construed to impair or affect the right of any person to whom any debt may be due for labor or services to maintain an action to recover the debt from the person liable therefor, either in connection with a foreclosure suit or in a separate action. This bill would permit a separate attachment in such separate action, notwithstanding the lien, and would provide that a judgment obtained in such separate action shall not be construed to impair or merge any lien held by the plaintiff under the bill, except that any sum collected on the judgment would be credited on the amount of the lien.

This bill would authorize the lienholder, in a specified manner, to obtain, pursuant to existing provisions of law, a court order for the sale of crops or agricultural products subject to the lien where such crops or products are perishable except as provided where a marketing agreement exists between an owner who is the grower or producer and an agricultural marketing cooperative.

This bill would become operative July 1, 1977, and would not affect the priority of any security interest perfected prior to that date.

Ch. 1060 (AB 2972) Boatwright. Taxation

(1) In 1872, the Supreme Court of the United States established, in effect, that imports in the original package were exempt from property taxation under the import-export clause of the Federal Constitution. Early in 1976, the original package doctrine was overruled as it applied to property taxes.

Existing law provides that the validity of tax assessment on imported goods for any assessment year prior to the 1976-77 assessment year shall be determined pursuant to statutory and case law existing prior to the 1976 decision of the Supreme Court of the United States

This bill would allow the courts to follow such decision rendered early in 1976 in determining the validity of any assessment made prior to January 14, 1976 if the circumstances warrant it and the taxing authority demonstrates that it would be equitable to do so.

(2) Existing Personal Income Tax Law authorizes a special tax credit of 100% for a single person or married person filing a separate return with an adjusted gross income of \$4,000 or less, or \$8,000 in the case of a head of household, surviving spouse, or a married couple filing a joint return.

This bill would, instead, authorize a nonrefundable tax credit of \$40 to a taxpayer whose adjusted gross income is \$5,000 or less, or \$80 to a head of household, surviving spouse or married couple filing a joint return if the adjusted gross income of such taxpayer is \$10,000 or less. Such credit would be reduced by \$0.50 for each dollar in excess of such adjusted gross income limits

(3) Under the existing Senior Citizens Property Tax Assistance Law, qualified persons 62 years of age or older receive state funds in partial reimbursement of property taxes paid on their homes. The amount of the reimbursement is based on household incomes and property taxes paid on a home, with payments ranging from 96% of the property taxes paid on the first \$7,500 of the assessed value of a home to those with household incomes of not more than \$1,400 to 4% of the tax paid on such assessed value to those with household incomes of not more than \$10,000.

This bill proposes an increased schedule of benefits payable for such claimants.

This bill would also extend the assistance program to renters 62 years of age or older on the basis of a percentage (determined by total household income) of a \$220 statutory property tax equivalent presumed to be paid by renters.

(4) Under existing law the homeowners' property tax exemption does not extend to property for which an owner received an allowance for taxes for the property tax year from the state or political subdivision thereof, with certain exceptions.

This bill would extend the homeowners' property tax exemption to such property

(5) Existing law continuously appropriates money from the State General Fund to compensate local governmental entities for property tax revenues lost by reason of the homeowners' property tax exemption.

This bill, by increasing the amount of such exemption, would also have the effect of increasing the amount of such appropriation

(6) The bill would be applicable to assistance for the 1976-77 fiscal year and thereafter.

(7) The bill would take effect immediately as an urgency statute

Ch. 1061 (AB 3234) Siegler. Victim of crime disposition notice

Existing law does not require the victim of a crime to be notified of the disposition of the defendant's case.

This bill would impose such a requirement, as specified, upon the district attorney when requested by the victim.

This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill

Ch. 1062 (AB 3412) Brown. Senior citizens' property tax assistance: budget

Item 88 of the Budget Act of 1976 appropriated \$51,200,000 for the purpose of providing property tax assistance to claimants in accordance with the provisions of the Senior Citizens' Property Tax Assistance Law.

This bill would appropriate \$3,500,000 in augmentation of such item

This bill would take effect immediately, since it would make an appropriation for the usual current expenses of the state

Ch 1063 (AB 3425) Calvo Air pollution: recodification

(A) Chapter 957 of the Statutes of 1975 repealed and reenacted, with various substantive changes, provisions regarding air pollution contained in the Health and Safety Code, and made conforming changes in the Health and Safety Code and in cross-references in provisions in various codes.

This bill would (1) incorporate into the revisions made by Chapter 957 the changes in the law resulting from other enactments in 1975, (2) make nonsubstantive corrections in the revisions, (3) and include other provisions of law regarding air pollution that were not included in the revisions.

(B) The bill would also reinsert the law as it was prior to the enactment of Chapter 957 regarding (1) definition of "air contaminant," (2) hearing of modification of a schedule of increments of progress, (3) exclusion of uncombined water vapor from the Ringelmann No. 2 test (4) no preemption of any air pollution control district rule or regulation in effect on September 19, 1965, with respect to agricultural burning, (5) authorizing air pollution control districts in southern California, in general, to require permits for the operation of orchard and citrus grove heaters, and (6) requiring every 1963 or later model year motor vehicle subject to registration in this state be equipped with a certified crankcase emission device.

(C) Under existing law, various terms used in statutory provisions regarding air pollution are statutorily defined.

The bill would authorize the state board, by rules and regulations, to revise the statutory definitions in order to conform the definitions with federal laws and rules and regulations.

(D) Under existing law, statutory provisions with respect to nonagricultural burning are not to be construed to limit the statutory authority of any public officer to set open outdoor fires for specified purposes.

The bill would likewise provide that those statutory provisions are not to be construed to limit the statutory authority of any public officer to set open outdoor fires for disease or pest prevention.

(E) Under existing law, until January 1, 1977, or such earlier date as determined by the State Air Resources Board upon a specified finding, an air pollution control district board may authorize, under specified conditions, the use of open outdoor fires to dispose of wood waste and brush cuttings.

The bill would extend that authorization until January 1, 1980, or such earlier as determined by the state board upon a specified finding.

(F) Under the Lewis Air Quality Management Act creating the South Coast Air Quality Management District, a county within the district may adopt stricter air pollution control orders, rules, and regulations than those adopted by the district board.

The bill would authorize any city or county within the district to adopt stricter air pollution control ordinances than such orders, rules, and regulations adopted by the district board.

The bill would also make nonsubstantive corrections in the act.

(G) The bill would take effect immediately as an urgency statute.

Ch 1064 (AB 4031) Kapiloff. Public Utilities Commission.

Under existing law, orders of the Public Utilities Commission take effect 20 days after service. If the commission fixes a date earlier than the 10th day as the effective date, a person or corporation must file a petition for rehearing before the 10th day after issuance of the order.

This bill would revise this latter provision to be the 30th day after issuance of the order, or before the 10th day in the case of an order authorizing the issuance of securities.

Ch 1065 (AB 4053) Knox. Corporations: exemption.

The existing Corporate Securities Law exempts from qualification certain notes, drafts, bills of exchange, or banker's acceptances issued for current transactions which have a maturity not exceeding 9 months and which are not offered to the public in amounts of less than \$5,000.

This bill would additionally require, in order to qualify for the exemption, that such notes, drafts, bills of exchange, or banker's acceptances be freely transferable and of prime quality, and would increase the minimum investment to \$25,000, with specified

exception

The bill would make changes in Section 25100, Corporations Code, proposed by AB 3980 to be operative only if AB 3980 and this bill are both chaptered, and this bill is chaptered after AB 3980

Ch 1066 (AB 4327) Suitt Lake Elsinore State Recreation Area.

Under existing law, moneys in the Park and Recreation Revolving Account in the General Fund, consisting of federal grants which result from the expenditure of state funds for Department of Parks and Recreation acquisition and development projects, are available for such projects, including associated appraising, design, planning, feasibility study, and environmental impact costs. Proposed expenditures by the department for such projects from such account are required to be contained as separate items in the Budget Bill.

This bill would, notwithstanding the requirement that expenditures be contained in the Budget Bill, appropriate the following amounts for the following purposes:

(1) \$500,000 from the account to the department for the preparation of an environmental impact report and for the preparation of all plans, designs, specifications, engineering services, and construction cost estimates for dike construction, dredging, bank protections, recreational facilities, and water quality control facilities at Lake Elsinore State Recreation Area pursuant to a specified plan. However, such appropriation may not be expended unless and until the Director of Parks and Recreation makes a finding that an adequate and continuing supply of water for Lake Elsinore has been secured.

(2) \$220,000 from the account, together with \$40,000 from the Harbors and Watercraft Revolving Fund, to the department for expenditure from September 1, 1976, to December 31, 1978, for a study regarding the availability and feasibility of a well water source of supply for the lake.

(3) \$300,000 from the account to the department for expenditure for the immediate purchase of pumping water, contingent upon the lake's level receding to 1,227.5 feet above mean sea level, as determined by the director. The bill would provide that such purchase of water may not be deemed as the securing of an adequate and continuing supply of water for the purpose of the director's authorizing the expenditure described in paragraph (1).

The bill would take effect immediately as an urgency statute.

Ch. 1067 (SB 1678) Gregorio. Regulation of carcinogens.

Under current law, no state agency is vested with overall responsibility for regulating the use of substances having recognized carcinogenic properties, although there are statutory provisions directly regulating specific uses of particular carcinogens, such as the spraying of asbestos. Also, there are statutory provisions authorizing protective regulation by administrative agencies in specific areas, such as employee protection, which in such specific area and by necessary implication empower administrative agencies to regulate the manner and amount of human contact with carcinogenic substances.

This bill would define "carcinogen," "employer," and "use," and would require the Occupational Safety and Health Standards Board in the Department of Industrial Relations to adopt occupational safety and health standards, including reporting requirements, governing use by employers of carcinogens. The bill would continue in effect certain standards relating to the use of carcinogens which are in effect on January 1, 1977, until amended or repealed by the standards board. The standards board would be required to continue prescribed medical examination requirements at least as effective as on January 1, 1977, and would be required to prescribe reporting standards for employers using asbestos and vinyl chloride.

This bill would require the State Department of Health to make prescribed inspections of uses of carcinogens and would require the Chief of the Division of Industrial Safety in the Department of Industrial Relations to adopt a fee schedule for such inspections. Employers, other than public agencies, would be required to remit such fees to the division within 7 days after such an inspection, but no fee could be charged for more than one inspection during any calendar year.

The bill would require the State Department of Health and the Department of Industrial Relations to enter into a prescribed agreement defining the responsibilities of the State Department of Health, other than as expressly set forth in the bill, with respect

to enforcement of occupational safety and health standards relating to carcinogens. The bill would, however, rest primary responsibility for enforcement of such standards with the Division of Industrial Safety.

The bill would appropriate \$1,000,000 to the Department of Industrial Relations, subject to reduction commensurate with available federal funding, for expenditure for purposes of the bill from January 1, 1977, through June 30, 1977, according to a prescribed schedule.

This bill would modify civil penalties assessable under the California Occupational Safety and Health Act for specified violations of prescribed standards or orders relating to the use of carcinogens. With specified exceptions, the bill would make all such violations "serious violations" within the meaning of provisions of such act prescribing civil and criminal penalties.

This bill would provide that neither appropriation is made nor obligation created for the reimbursement of local agencies for any costs incurred by them under the bill for a specified reason.

Ch. 1068 (SB 2172) Roberti. Juvenile court law: separation of dependent child and ward provisions.

The Arnold-Kennick Juvenile Court Law refers, in numerous sections and single statutory units, to both dependent children of the juvenile court and wards of the juvenile court.

This bill would separate the references in Section 600 through 800 of the Welfare and Institutions Code to dependent children of the juvenile court and to wards of the juvenile court, into separate and independent statutory units, respectively.

This bill would also express legislative intent.

This bill would also make additional changes affecting Section 508 of the Welfare and Institutions Code, proposed by AB 3361, to be operative only if AB 3361 and this bill are both chaptered and become effective on or before January 1, 1977, and this bill is chaptered after AB 3361.

This bill would also make additional changes affecting Sections 576.8, 600.3, 600.5, 634.7, 635.5, 652.5, 654.5, 726.5, and 729.5, Welfare and Institutions Code, proposed by SB 30, to be operative, as prescribed, only if SB 30 and this bill are chaptered and become effective January 1, 1977, and this bill is chaptered after SB 30.

Ch. 1069 (SB 1695) Presley. Juvenile offenders: Youth Authority.

An existing provision of the juvenile court law: (1) prohibits the sentencing to state prison of a minor who committed any criminal offense and who was found not a fit and proper subject to be dealt with under the juvenile court law, with specified exceptions; (2) authorizes a court of criminal jurisdiction, prior to sentencing a person eligible for commitment to the Youth Authority, to remand such persons to the Youth Authority for not to exceed 90 days, for the purpose of evaluation and report; and (3) prohibits return of a person to the court, except present and past Youth Authority wards, unless the person has been so remanded and personally evaluated.

This bill would: (a) repeal item (3) above; and (b) revise items (1) and (2) above, to authorize the court of criminal jurisdiction, prior to sentence, to remand a minor to the Youth Authority for not to exceed 90 days for the purpose of evaluation and report concerning his amenability to Youth Authority training and treatment and to prohibit the sentencing to state prison of a minor who committed any criminal offense and who was found not a fit and proper subject to be dealt with under the juvenile court law, unless he has been so remanded and the court finds after having read and considered such report, that the minor is not a suitable subject for commitment to the Youth Authority.

An existing provision of the juvenile court law requires, when a criminal court dismisses or finds untrue any charge, the circumstances and gravity of which were relied upon in a juvenile court finding of unfitness, the return of the minor to the juvenile court if the minor consents; authorizes, in other cases, return to the juvenile court if the minor consents; and prohibits return if jeopardy attached in criminal proceedings, until a verdict or finding has been made as to each pending charge.

This bill would repeal that provision.

Ch. 1070 (SB 1694) Presley. Youthful offenders, juvenile court law.

Present law now specifies that, when the criminal court has discretion to decide whether a crime is punishable by imprisonment in the state prison or by fine or imprisonment in the county jail, the crime is a misdemeanor for all purposes when the court commits the defendant to the Youth Authority.

This bill would permit the court, upon committing the defendant to the Youth Authority, to designate the offense to be a misdemeanor and would provide that when a defendant is committed to the Youth Authority for a crime which is so punishable in the court's discretion, the offense is, upon discharge from the Youth Authority, thereafter deemed a misdemeanor for all purposes, and would make such changes applicable to all persons who may be or presently are under the jurisdiction of the Youth Authority as a result of a prescribed commitment by a criminal court.

Under existing juvenile court law, a juvenile court in a detention hearing may order a minor detained in juvenile hall or another place designated by the juvenile court for not over 15 judicial days, if the juvenile court determines that it is a matter of immediate and urgent necessity for the protection of the minor or the person or property of another.

This bill would authorize the juvenile court, in making such determination, to consider in conjunction with other factors, the circumstances and gravity of the alleged offense.

Under existing law, when a minor is adjudged a dependent child or ward of the juvenile court, as specified, the juvenile court is authorized to make all reasonable orders for the care, supervision, custody, conduct, maintenance, and support of such minor.

This bill would specify that the court may make any and all reasonable orders to the parents and guardian of a dependent child or ward of the juvenile court as the juvenile court deems necessary and proper.

Under existing law, probation officers are not required to inform victims of juvenile crime of the final disposition of the case.

This bill would require probation officers, upon request in specified instances, to inform an alleged victim of the disposition of the juvenile case.

This bill would also make additional changes in Section 636, Welfare and Institutions Code, proposed by Assembly Bill No. 3121 to be operative only if Assembly Bill No. 3121 and this bill are both chaptered and become effective on or before January 1, 1977, and this bill is chaptered last, and, in which event, to be operative on the effective date of Assembly Bill No. 3121.

This bill would also make additional changes in Section 727, Welfare and Institutions Code, proposed by Senate Bill No. 2172, to be operative only if Senate Bill No. 2172 and this bill are both chaptered and effective on or before January 1, 1977, and this bill is chaptered after Senate Bill No. 2172, and, in which event, to be operative on the effective date of Senate Bill No. 2172.

This bill would also provide that no appropriation or reimbursement is made by this act to local agencies because of specified reasons.

This bill would take effect immediately as an urgency statute.

Ch. 1071 (AB 3121) Dixon. Juvenile court law and related proceedings.

Existing law prohibits any judge or court commissioner of any superior, municipal, or justice court from trying any civil or criminal action or specified special proceeding when it is established, by specified procedures, that the judge or commissioner is prejudiced, as specified, and requires assignment of another judge or court commissioner.

This bill would include within such provision any referee of any superior, municipal, or justice court.

Existing juvenile court law provides for the hearing by appointed juvenile court referees of assigned cases, subject to specified conditions and limitations, and for their qualifications.

This bill would revise such qualifications to require referees first appointed on or after January 1, 1977, to have been admitted to practice law in this state and to have been admitted to practice law in this state for at least 5 years or in any other state and this state for a combined period of not less than 10 years.

Existing law specifies that justices and judges shall not sit in actions or proceedings where such justice or judge has a personal interest or financial interest, is related to either party, is biased or prejudiced, is a former counsel for either party, or is physically

impaired

This bill, in addition, would apply such provisions to referees in juvenile court, as specified

This bill would revise existing law [.] * to require that persons described by Section 601, Welfare and Institutions Code, or adjudged to be such or made a ward of the juvenile court solely upon that ground to be detained only in a sheltered-care facility or [.] a * crisis resolution home, or in * a nonsecure facility [.] to authorize, for such wards, only the treatment dispositions prescribed for dependent children of the juvenile court, thereby precluding the commitment of such wards to the Youth Authority;] * and [to] * make related changes.

This bill would revise existing law to include violation of curfew ordinances based solely upon age within Section 601 rather than Section 602, Welfare and Institutions Code

Under existing juvenile court law, a minor who has been taken into temporary custody shall be immediately released by the probation officer and by the juvenile court in the detention hearing to the custody of the parent, guardian, or responsible relative, unless certain specified conditions exist, including: that the continued detention of the minor is a matter of immediate and urgent necessity for the protection of the person or property of another.

This bill would revise such specified condition to. that the continued detention is a matter of reasonable necessity for the protection of the person or property of another

This bill would require a probation officer, where a minor in temporary custody meets one or more conditions in existing law for detention, but 24-hour secure detention is not necessary to protect the minor or the person or property of another or to ensure that the minor does not flee the court's jurisdiction, to release the minor on home supervision, subject to the signing of a specified written promise and other conditions imposed by the probation officer.

Under existing law a juvenile court in a detention hearing may, upon making specified findings, order a minor detained in juvenile hall or another place designated by the court, for not over 15 judicial days.

This bill would also, ~~upon finding that the above conditions are applicable,~~ * require a juvenile court in detention hearings, upon finding that the above conditions are applicable, to place the minor on home supervision for not over 15 judicial days, as specified

This bill would also: require establishment in each county probation department of a specified home supervision program.

This bill would additionally authorize probation officers to operate and maintain nonsecure detention facilities, or to contract therefor with private agencies, for those minors who are not considered escape risks and are not considered a danger to themselves or to the person or property of another, as specified.

Existing law provides that the juvenile court has jurisdiction of a person charged with the commission, when under 18 years of age, of a public offense, except certain fugitive persons; prohibits criminal prosecution until initial submission to juvenile court; and provides for a specified fitness hearing

This bill would revise existing law re fitness hearings to require, where persons are charged with specified felonies (e.g., murder, certain arsons, certain robberies, certain rapes, certain kidnappings, certain assaults, and certain discharges of firearms,) who were 16 years of age or older at the date of the alleged commission of the offense, that the juvenile court find such person unfit for the juvenile court unless the court finds, upon specified criteria, that such person would be amenable to juvenile court care, treatment and training; authorize, where a person is found by a juvenile court to be a person described by Section 602, Welfare and Institutions Code, by reason of committing any of the above listed offenses and is committed to the Youth Authority, related retention of juvenile court jurisdiction until such person attains 23 years of age and related retention of Youth Authority jurisdiction, as specified.

Present law specifies the various purposes of the juvenile court law, including such goals as (a) the securing for each person under the jurisdiction of the juvenile court such care and guidance, preferably in his own home, as will serve the spiritual, emotional, mental, and physical welfare of the person and best interests of the state, (b) preserving and strengthening the person's family ties, removing him from parental custody only

when his welfare and protection of the public cannot be adequately safeguarded without removal. This bill would: recast item (b) above, to provide for such removal only when necessary for his welfare or for the safety and protection of the public; and add additional purposes of protecting the public from criminal conduct by minors and imposing on the minor a sense of responsibility for his own acts.

Existing law provides that a proceeding in juvenile court to determine a minor a delinquent or law-violating ward or dependent child of the court is commenced by any person making specified application therefor in the form of an affidavit to the probation officer and the probation officer filing a petition with the court.

This bill would remove from such provisions proceedings involving law-violating wardships and, in such cases, would require the probation officer, if he determines that law-violating wardship proceedings should be commenced, to take a prescribed affidavit to the prosecuting attorney who is authorized in his discretion to institute proceedings by filing a petition with the juvenile court, would provide that law-violating wardship proceedings shall be commenced by the prosecuting attorney, as petitioner, filing a petition, and would make related changes.

Existing law authorizes a probation officer to undertake a program of supervision of a minor for not to exceed 6 months, in lieu of filing a petition or subsequent to a dismissal of a petition and with parental consent.

This bill would: revise such law, in part, to condition such undertaking upon the consent of the minor and of the parent or guardian; to authorize a probation officer to delineate specific programs for a minor, rather than undertake a supervision program of the minor, require the requesting of a petition if the minor fails to involve himself in the specific programs within 60 days; require the probation officer, under specified conditions, to make a diligent effort to proceed under this provision; authorize probation officers, under specified conditions, to provide sheltered-care facilities, crises resolution homes and counseling and educational centers, as specified; and require the probation officer, upon conclusion of such program, to prepare and maintain a specified followup report.

Under existing law a person who has applied to the probation officer to file a petition for delinquent or law-violating wardship or dependency is authorized to apply for juvenile court review of a decision not to file such a petition.

This bill would revise such law to, among other things, authorize such a person, in law-violating wardship cases, to apply for prosecuting attorney review of failures to take such a person's affidavit to the prosecuting attorney.

Existing law provides that in a juvenile court hearing where the minor who is the subject of the hearing is represented by counsel, the district attorney shall appear with the consent of or at the request of the juvenile court judge.

This bill would delete such provision, and would [] * require the prosecuting attorney to appear on behalf of the people, under certain conditions when the petition alleges the minor has violated a law; would authorize, in delinquency ward hearings where the minor is represented by counsel and with the consent or upon request of the court, the prosecuting attorney to appear and participate, as specified; ~~under specified conditions~~ *; and authorize the prosecuting attorney to represent the minor in certain child dependency proceedings, if there are pending criminal charges against the parents, guardians, custodians, or home resident based on acts committed against the minor.

This bill would also revise the provision relating to evidence in juvenile court proceedings to require that the admission and exclusion of evidence be pursuant to the rules of evidence established by the Evidence Code and by judicial decision.

This bill would: require, where a law-violating ward is removed from physical custody of his parent or guardian, that the court order specify that the minor not be held in physical confinement, as defined, for a period in excess of the maximum term which could be imposed upon an adult; impose such limits upon commitments to the Youth Authority; and make related changes.

This bill would also require the [juvenile] * court, where the offense the minor committed would, if committed by an adult, be punishable ~~alternating~~ [alternatively] * as a felony or a misdemeanor, to declare the offense a misdemeanor or felony.

Existing law authorizes various treatment dispositions ~~of~~ [only for] * criminal-law-violating wards of the juvenile court.

This bill would ~~require~~ [add.] * as additional alternatives, the making [by such ward] *

of restitution, participation in uncompensated work programs, commitment to a shelter care facility, and specified professional counseling for the ward and family as a condition of continued custody of such minor.

Existing provisions of the Youth Authority Act authorize the Youth Authority to return to a court any person committed by the court to the Youth Authority, if it determines that such person is an improper person to be retained, incorrigible, or incapable of reformation; and provide that when the Youth Authority returns a person committed by a juvenile court, to the juvenile court, that court may make any disposition of such person authorized by the juvenile court law, except that the juvenile court may not recommit such person to the Youth Authority.

This bill would delete the latter provision and would make the preceding provision expressly inapplicable to commitments from juvenile court

This bill also expresses legislative intent re utilization of judges in juvenile court

This bill would also make additional changes in Secs. 635, 636, and 727, W & I.C., proposed by SB 1694, to be operative only if SB 1694 and this bill are both chaptered, and become effective January 1, 1977, and this bill is chaptered after SB 1694

This bill provides that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor appropriation made by this bill for a specified reason.

Ch 1072 (SB 973) Holden Credit denial

Existing law does not require creditors to specify reasons for the denial of credit to any person.

This bill would require creditors to notify an applicant for credit, within 30 days, or at a later reasonable time as specified in federal law or regulations, of the receipt of a completed written credit application, of the action taken by the creditor upon such credit application.

This bill would entitle each applicant denied credit to a statement of reasons for such action from the creditor and would specify what alternative courses of action a creditor may take to satisfy the obligation of furnishing a statement of reasons

This bill would provide that a statement of reasons meets the requirements of the bill only if it contains the specific reasons for credit denial.

This bill would permit the notification of a creditor's action and a statement of reasons for a credit denial to be made either directly by the creditor or through a third party where a creditor has been requested by such third party to make a specific extension of credit directly or indirectly to an applicant, provided in either case the identity of the creditor is disclosed

This bill would provide that any creditor who fails to comply with the requirements of the bill is liable for any actual damages and punitive damages, in an amount not greater than \$10,000, sustained by an applicant as the result of such failure, except as specified.

This bill would require that all actions alleging a failure to comply with any requirement of the bill be brought within 2 years of the date of the occurrence of the violation.

This bill would become operative on March 31, 1977

Ch 1073 (SB 1581) Nejedly Well records. oil, gas, geothermal

(1) Existing law makes all records, including production reports, of any owner or operator of an oil, gas, or geothermal well public records for purposes of the California Public Records Act, except that any such records do not become public for specified periods (depending on the type of well drilled) if the owner or operator requests limited access. In such case, access is limited to various specified persons. Provision is made for extending such period of limited access for extenuating circumstances. Existing law, however, further prohibits the inspection or copying of any well records by anyone, other than state officers, the Director of Conservation, and persons authorized in writing by the operator, prior to July 1, 1976

This bill would expressly limit the records which are made public records by the existing law to well records, as redefined by the bill, filed pursuant to the applicable statutes and require the owner or operator to request confidentiality, rather than limited access, in order to prevent such records from becoming public. The bill would, in such connection, change the confidential period for onshore oil and gas wells from a period

of 2 years from the date of completion of the well to a period of 2 years from the date of removal of drilling machinery from the well site. The bill would change the confidential period for offshore oil and gas wells from a period of 5 years from the date the well is capable of production to a period of 5 years from the date of removal of drilling machinery from the well site. The bill would change the confidential period for records for geothermal wells from a period of 5 years from the date of commercial production to a period of 5 years from the date of production or injection for other than testing purposes, as defined, or abandonment, whichever occurs first. The bill would make related changes.

(2) Existing law requires the owner or operator of any oil, gas, or geothermal well to keep the log of the drilling of the well in his local office. The log of the drilling of the well, together with the tour reports, are subject, during business hours, to inspection by designated public agents, and the owner and operator is required to file with the supervisor, upon request, a copy of the log, history, and core record. Existing law excepts from such requirements a prospect well, as defined.

This bill would delete such exception for prospect wells.

The bill would go into immediate effect as an urgency statute.

Ch. 1074 (SB 1670) Presley. Forest fire prevention.

(1) Existing law requires all money which is received by the state pursuant to the Clarke-McNary Act, a federal act providing assistance for forest fire prevention and suppression, to be paid into the General Fund.

This bill would limit such requirement to such money which is received by the state and regularly allotted by the federal government according to an annual formula, and would require any supplemental money received from the federal government pursuant to such act for specially designated projects of the Division of Forestry to be authorized by the Director of Finance for augmentation of a specified provision of the principal General Fund item of support of the Department of Conservation contained in the Budget Act for the fiscal year during which such supplemental money is received, subject to the requirement that the director furnish prior notice of such augmentation to the chairman of the committee in each house which considers appropriations and to the Chairman of the Joint Legislative Budget Committee.

(2) Existing law generally prohibits burning on lands in any state responsibility area or lands administered by the United States Department of Agriculture or Department of the Interior during specified times of the year except in strict accordance with the terms of a written permit from the State Forester or his duly authorized representative or the authorized federal officer on such federal lands.

This bill would authorize the State Forester, any county fire warden with the approval of the State Forester, and federal officers of the United States Bureau of Land Management, the National Park Service, and the United States Forest Service to suspend or otherwise prohibit, by proclamation, burning under permit or other uses of open fire within their respective jurisdictions by any person on public or private lands, except within incorporated cities. The bill would specify when such a proclamation may be issued and the procedure for issuance and termination of the proclamation. The bill would authorize the issuance of a restricted temporary burning permit, whenever such a suspension is in effect, in instances in which the continuation of burning or use of open fire may be essential for reasons of public health, safety, or welfare. The bill would permit, following issuance of such a proclamation, the use of a campfire in specified facilities and would permit smoking in specified areas unless such activities are specifically prohibited in the text of the proclamation. The bill would prescribe minimum fines for violation of such provisions. The bill would render any restricted temporary burning permit or campfire permit null and void upon any violation of its terms.

(3) The bill would provide that there shall be no appropriation made and no reimbursement of any local agency for any costs incurred pursuant to the bill for a specified reason.

(4) The bill would take effect immediately as an urgency statute

Ch 1075 (SB 1733) Alquist Political reform. appropriation.

Existing law appropriates \$1,000,000, adjusted annually for cost-of-living changes, to the Fair Political Practices Commission to support its operations. Existing law requires the Legislature, in addition, to appropriate such amounts to the commission and other agencies as may be necessary to carry out the provisions of the Political Reform Act of 1974.

This bill would require the Department of Finance, in preparing the state budget and the Budget Bill submitted to the Legislature, to include in the budget item dealing with the Political Reform Act's support: (1) the additional amounts to be appropriated to other agencies to carry out their duties under the act; (2) the additional amounts required to be appropriated by the Legislature to the commission to carry out its duties; and (3) for informational purposes to show the continuing appropriation of \$1,000,000 adjusted for cost-of-living changes made to the commission by the Political Reform Act of 1974 during each fiscal year.

This bill would take effect immediately, as an urgency statute.

Ch. 1076 (SB 1782) Presley. Declaratory relief actions.

Under existing law declaratory relief actions are required to be set for trial at the earliest possible date and take precedence over other cases. This bill would require, where plaintiff seeks any relief in addition to declaratory relief, a noticed motion and a showing that the action requires a speedy trial before such procedure is required.

Ch. 1077 (SB 1796) Ayala. Meat: sales.

Existing law generally regulates weights and measures.

This bill would require that fresh meat or roasts be advertised or sold on the basis of net weight not including any added fat either wrapped within or injected with a larding needle or otherwise inserted into the meat or roast. However, added fat would not be considered tare weight if the package is clearly and prominently labeled in 8-point type or larger "fat added."

A violation of this provision would be a misdemeanor.

This bill would also provide that no appropriation is made and the state shall not reimburse local agencies for costs incurred by them pursuant to this bill.

Ch 1078 (SB 1807) Zenovich Municipal courts: Merced and Stanislaus Counties

Existing law makes no provision for any municipal court in Merced County.

This bill would create the Merced County Municipal Court which would embrace the entire County of Merced. It would authorize 3 judges for the court and provide for the number, positions and compensation of court personnel.

Existing law provides for one judge in Stanislaus County other than the district embracing the City of Modesto which has a municipal court district of 5 judges.

This bill would repeal the provisions providing for the Modesto Municipal Court District and would create the Stanislaus County Municipal Court which would embrace the entire County of Stanislaus including the City of Modesto. It would authorize 7 judges for the court and establish the composition and compensation of the court personnel.

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desired authority to act pursuant to the act.

Ch. 1079 (SB 1864) Song. Codes maintenance.

Existing law directs the Legislative Counsel to advise the Legislature from time to time as to legislation necessary to maintain the codes and legislation necessary to codify such statutes as are enacted from time to time subsequent to the enactment of the codes.

This bill would restate existing provisions of law to effectuate the recommendations made by the Legislative Counsel to the Legislature for consideration during 1976, and would not make any substantive change in the law.

Ch 1080 (SB 1896) Russell. Fair Political Practices Commission.

(1) Existing law provides that any person may request the Fair Political Practices Commission to issue an opinion with respect to his duties under the Political Reform Act of 1974. Within 14 days of the request, the commission must issue the opinion or advise

the requester whether any opinion will be issued. Good faith reliance on the opinion gives the requester immunity from criminal or civil prosecution.

Regulations of the commission require the executive director or his designee to provide written advice upon request if the requester's question does not present a substantial question of interpretation requiring commission consideration, his opinion request has been denied, or his opinion request has been granted but interim advice is necessary. Such advice must be provided within 21 working days but the deadline may be extended by the executive director for good cause. If the requester relies in good faith on advice or the executive director declines to provide such advice, the commission may not initiate any enforcement proceeding.

This bill would provide that any person may also request the commission to provide written advice with respect to his duties. Such advice must be provided within 21 working days but the deadline may be extended for good cause. Reliance on the advice or failure of the commission to provide requested advice would constitute a complete defense in any enforcement proceeding initiated by the commission, and evidence of good faith conduct in any other civil or criminal proceeding.

(2) Regulations of the commission presently delegate the duty of determining whether there is probable cause for believing the Political Reform Act has been violated for purposes of an administrative enforcement proceeding, to a presiding officer who is chosen by the executive director. The alleged violator has 21 days within which to respond to the executive director's report on probable cause unless the time is shortened or extended by the presiding officer.

The presiding officer is required to hold a conference on the probable cause issue if a conference is requested by himself, the executive director, or the alleged violator. The conference is private unless the alleged violator requests that it be open to the public or the investigation has been discussed or reported in the public media. The alleged violator and his representative have the right to be present at the conference and to present arguments on the factual matters presented. The presiding officer may permit the presentation of oral testimony or additional written materials.

This bill would prohibit any finding of probable cause by the commission unless at least 21 days before the commission's consideration of the alleged violation, the alleged violator is notified of the violation by service of process or registered mail, provided with a summary of the evidence, and informed of his right to be present in person and represented by counsel. It would require any probable cause proceeding to be private unless the alleged violator requests that it be public.

(3) The bill declares that it would further the purposes of the Political Reform Act of 1974.

Ch. 1081 (SB 1897) Presley Local agencies.

Under existing law, specific procedures are enumerated for the formation of special districts. There is no specific provision in the law providing for reimbursement of counties for costs incurred in connection with the formation of special districts.

This bill would require that special districts, as defined, reimburse counties for the expenses incurred by such counties for advertising and conducting the formation election.

Under existing law, there is no specific procedure for annexation of territory, which is part of a county service area, to an improvement area.

This bill would enact such a procedure, including provisions for a resolution initiating proceedings by the county board of supervisors, written protests and abandonment of annexation where a majority protest exists, notice and public hearing, and filing of the resolution and map or plat.

Under the existing Subdivision Map Act, a certificate, signed and acknowledged by all parties having any record title interest in the real property subdivided, consenting to the preparation and recordation of the final map, is required, subject to specified exceptions.

This bill would make various changes in the exceptions with regard to such requirement.

The bill would provide that no reimbursement of local government is made under its provisions for a specified reason.

Ch 1082 (SB 1900) Presley Arrests: pedestrian ordered to leave bridge or overpass.

Under existing law, the officer arresting a person for violating specified provisions of the Vehicle Code has the option of giving that person a 10 days' notice to appear or taking that person before the nearest magistrate who has jurisdiction over the alleged offense in the county where the alleged offense took place.

This bill would grant a peace officer the same option with respect to a pedestrian on a bridge or overpass who, having once been cited for his refusal to leave after being lawfully ordered to do so by a peace officer who has reasonable cause to believe that the pedestrian intends to violate provisions of law that prohibit throwing substances, throwing specified objects with the intent to do great bodily injury, or discharging a firearm at a vehicle or its occupant on a highway, is within 24 hours again found on the bridge or overpass and thereafter refuses to leave after being lawfully ordered to do so by the peace officer and after having been informed that his failure to leave could result in his arrest.

The bill would also provide that there are no state-mandated costs in the bill that require reimbursement under Section 2231 of the Revenue and Taxation Code for a specified reason.

Ch. 1083 (SB 1903) Robbins. Drugs.

Existing law does not specifically prohibit the use of succinylcholine by a person otherwise authorized to administer such compound

This bill makes it unlawful for any person, other than a licensed veterinarian to administer succinylcholine, also known as succinylcholine, to any dog or cat.

The bill would provide that there is no reimbursement nor appropriation to local agencies for costs incurred by them pursuant to this act.

Ch. 1084 (SB 2010) Zenovich. State agencies: prevailing wage rates for refuse disposal contracts.

Under existing law, there is no provision requiring the payment of prevailing wages in connection with contracts for hauling of refuse from public work sites, which involve state agencies, including the California State University and Colleges, and including the University of California.

This bill would enact such a requirement.

In addition, this bill would expressly provide that if any provision of the bill or the application thereof to any person ~~on~~ [or] * circumstances is held invalid, such invalidity shall not affect other provisions or applications of the bill which can be given effect without the invalid provision or application, and to this end the provisions of the bill are severable.

Ch. 1085 (SB 2068) Stull. Community redevelopment: taxation

Under existing law, any community redevelopment plan for a project area may provide for an apportionment of taxes on property in the project area between the funds of taxing agencies and a redevelopment agency special fund which is used for financing the redevelopment project.

This bill would provide that revenues produced by taxes levied by the Coachella Valley County Water District for payment of bonded indebtedness that was incurred in the construction and installation of sewer facilities which provide sewer services to an area which includes a redevelopment project area, or a portion thereof, would not be apportioned, but would be allocated solely to such public agency

Ch. 1086 (SB 2069) Grunsky. Alcoholic beverages

Existing law provides that the Department of Alcoholic Beverage Control may issue a club license to any club, as defined

This bill would define club to include any bona fide nonprofit corporation formed as a condominium homeowners' association meeting specified requirements.

Ch. 1087 (SB 2078) Way Water quality standards.

Under existing law, a person is prohibited from furnishing or supplying water to a user for domestic purposes from any source of water supply unless the person has received a permit from the State Department of Health. Upon receipt of an application for a permit to furnish or supply water, the state department is required to make a thorough investigation of the proposed or existing plant, works, system, or water supply, and surrounding circumstances and conditions. The state department is required to grant a permit to furnish or supply water if it is pure, wholesome, and potable and does not endanger the lives or health of human beings. The state department is required to enforce such provisions and determine if the quality of domestic water is in compliance with standards or requirements established.

This bill would delete such existing law. The bill would require a person operating a public water system, as defined, to obtain a permit from the state department. A person who holds a permit or amended permit to furnish or supply water to a user for domestic purposes under existing law would be deemed under the bill to have been issued a permit in compliance with the bill. The state department would be required to issue a permit under the bill if the water being furnished or supplied is pure, wholesome, potable, and will not endanger the lives or health of human beings. The bill would define the terms "drinking water standards" and "maximum contaminant levels" and would authorize the state department to grant public water systems variances from drinking water standards maximum contaminant levels, treatment techniques, or requirements under certain conditions.

This bill would require the state department to establish a 10-member water quality advisory council which would assist in formulation of regulations, policies, and programs. The bill would require the formulation and adoption of rules and regulations on the quality of domestic water supplies and related matters. The bill would require the state department to issue cease-and-desist orders for failure to comply with any drinking water standard or for violation of any department rule or regulation, which cease-and-desist orders would be classified into three categories. A person who violates a cease-and-desist order would be civilly liable to specified amounts based upon the classification.

A person who knowingly furnishes or supplies to a user water which is impure, unwholesome, unpotable, polluted, or dangerous to health would be guilty of a misdemeanor punishable by a \$5,000 fine or imprisonment in the county jail not exceeding one year, or both.

The bill would require the Attorney General, on request of the department, to bring an action for such civil penalties, would provide for judicial review by writ of mandate of cease-and-desist orders when filed within 30 days or in enforcement or penalty proceedings, and would require the court to exercise its independent judgment, considering all relevant evidence which the court determines is proper to effectuate and implement the provisions of this bill.

The bill would, in addition, if AB 4090 is chaptered, authorize a local health officer to act with respect to regulation of a local system, subject to review by, and orders from, the department. The department would be authorized to act for the local health officer when the local health officer failed to act in compliance with the bill or when the local agency requested, by resolution, the department to do so. A local system would be defined by the bill as a water system that supplies or furnishes less than 200 service connections or any system only supplying an industrial camp, hotel, motel, condominium, or temporary or permanent resort.

Under existing law, no standard of the Public Utilities Commission relating to water quality is applicable to any water corporation which is required to comply with State Department of Health standards pertaining to water quality.

This bill would delete such existing law and require, instead, that any standard of the commission applicable to any water corporation not be inconsistent with such State Department of Health water quality standards.

The bill would incorporate additional changes in Section 770, P U C, proposed by AB 3496, to be effective only if AB 3496 and this bill are both chaptered and become effective January 1, 1977, and this bill is chaptered last.

The bill would provide that there shall be no reimbursement for any state-mandated local program for a specified reason.

Ch 1088 (SB 2177) Song. Pleas.

Existing law provides that a plea of nolo contendere may not be used against the defendant as an admission in any civil suit based upon or growing out of the act upon which the criminal prosecution is based

This bill would extend such exclusionary protection to include any admission elicited by the court in an inquiry regarding the voluntary nature of, and factual basis for, such a plea prior to granting its consent to the plea.

Ch 1089 (AB 2812) Lockver Labor wages

The existing law permits the Industrial Welfare Commission to fix the minimum wage to be paid to employees engaged in any occupation, trade or industry

This bill would specify that the minimum wage so fixed could not in any case, be less than the then current federal minimum wage applicable to employees covered by the federal Fair Labor Standards Act prior to February 1, 1967. If the federal minimum wage for such employees at any time exceeds the state minimum wage, the commission would be required to hold public hearings in 3 cities and fix a new minimum wage at the higher federal minimum wage.

Ch 1090 (AB 4049) Thurman Oil and gas wells.

Under existing law the operation of oil and gas wells is regulated by the Division of Oil and Gas of the Department of Conservation. Charges are annually assessed and collected in accordance with specified procedures upon the properties of operators of oil and gas wells that are in production to pay the costs of the division in supervising oil and gas wells.

This bill would authorize the State Oil and Gas Supervisor to order specified work to be carried out in connection with any oil or gas well which he determines to be a hazardous well, which would be defined as a well that poses specified hazards and with respect to such a well the last person that had an economic interest in, or received any benefit from, the well is deceased, defunct, or no longer in business in California, or any other person that has or had an economic interest in, or received benefit from, the well derives or derived only insubstantial benefit or little or no financial gain and would suffer severe economic hardship if regulatory abatement were imposed. The supervisor would be authorized to determine certain matters in applying this definition to specific cases. Such an order would be subject to a right of appeal, as specified. The bill would require the supervisor, if such operation will, by virtue of the physical occupation or destruction of all or any part of the property or the extraction of oil or gas from the property, substantially interfere with the enjoyment of the property, to acquire, by agreement with the owner or by eminent domain proceedings if necessary, such interest in the property as is necessary to carry out the operation. No such acquisition would be permitted, however, if the cost thereof will exceed the public benefit to be derived therefrom.

The bill would also limit expenditures pursuant to its provisions to \$500,000 per fiscal year and require a report by January 31, 1979, covering operations and expenditures through June 30, 1978, to be submitted to the Legislature.

The bill would make legislative findings and declarations in connection with the necessity of expending public funds for such purposes, and would also declare that costs of various operations regarding the abandonment of hazardous wells be charged to oil and gas producers.

The bill would take effect immediately as an urgency statute.

Ch 1091 (AB 4063) Perino Structural pest control operators

Existing law provides that the Structural Pest Control Board may on its own motion, and shall upon verified complaint, investigate the actions of any person acting as a structural pest control operator.

This bill would provide that, when a complaint is accepted for investigation, the property in question shall be investigated for compliance by the operator with applicable law and, if found not in compliance, the operator shall bring it into compliance within 30 days.

The operator would be required to pay an inspection fee of not more than \$125 unless the investigator finds the property in compliance or makes redetermination.

Ch 1092 (AB 4066) Perino Veterans. Cal-Vet loans

Existing law specifies that the maximum amount of a Cal-Vet home loan may not exceed \$30,000. This bill would increase that amount to \$35,000.

Existing law authorizes the Department of Veterans Affairs for the purposes of carrying out the provisions of the Veterans' Farm and Home Purchase Act of 1974 to utilize the proceeds derived from the Veterans Bond Act of 1974 in an amount not to exceed \$350,000,000. This bill would authorize the department to utilize the proceeds from all veterans bond acts subsequent to the Veterans Bond Act of 1974.

The existing law specifies for Vietnam veterans a service termination date for Cal-Vet loan eligibility purposes of September 26, 1974.

This bill would extend such service termination date to May 8, 1975.

Under existing law, the statutory provision which specifies wars for purposes determining service that qualifies a claimant for the veteran's property tax exemption, enumerates the campaign against the Viet Cong and North Vietnamese Communists in South Vietnam, August 5, 1964, to a date to be fixed by proclamation of the Governor signifying the termination of this campaign. No such proclamation has been issued by the Governor.

This bill would establish a termination date of the campaign as May 8, 1975.

Ch. 1093 (AB 4075) Chappie Off-highway motor vehicles

(1) Under existing provisions of law, certain motor vehicles used off the highways are subject to various regulatory provisions including provisions which require the identification of such motor vehicles.

This bill would revise various provisions regarding off-highway motor vehicles. The salient features of this bill are as follows:

(a) The bill would subject operators of off-highway motor vehicles to various operating rules, including rules regarding traffic signs, signals, and markings, speed, turning and starting, reckless driving, and littering and environmental protection. The bill would also subject off-highway motor vehicles to requirements relating to lighting equipment, brakes, and motor vehicle pollution control equipment.

(b) The bill would authorize the Department of the California Highway Patrol to prepare a course of instruction in off-highway motor vehicle safety, operation, and principles of environmental preservation, and for such purpose, would authorize cooperation with other public and private agencies or organizations.

(c) The bill would, under specified conditions, permit the provisions of the Vehicle Code which are applicable to off-highway motor vehicles to be made applicable to such vehicles when upon off-street parking facilities.

(d) The bill would provide that motor vehicles issued an identification plate or device may be moved by nonmechanical means, adjacent to a roadway, rather than adjacent to a highway, in a specified manner. The bill would authorize the Department of Transportation or local authorities to designate access routes leading to off-highway parks as suitable for the operation of off-highway vehicles, if such access routes are available to the general public only for pedestrian and off-highway vehicle travel.

(e) The bill would prescribe special provisions for the identification of a motorcycle.

(f) The bill would revise the definition of an off-highway motor vehicle.

(g) The bill would authorize local authorities to enact ordinances or resolutions governing the operation of off-highway motor vehicles.

(h) The bill would revise existing provisions which provide for the expenditure of funds contained in the Off-Highway Vehicle Fund.

(i) The bill would provide that abstracts of convictions of violations of provisions of the Vehicle Code relating to off-highway motor vehicles are not required to be reported to the Department of Motor Vehicles.

(j) The bill would require the Commissioner of the California Highway Patrol to administer the provisions relating to off-highway motor vehicles, with specified exception. The commissioner would not, however, be required to provide patrol for, or enforce, such provisions.

(k) The bill would make related changes and would delete various obsolete provisions.

(2) The bill would incorporate additional ~~changes~~ [changes] * in Sec. 21107.8, Vehicle Code, proposed by AB 4140, to be operative only if this bill and AB 4140 are both

chaptered and become effective January 1, 1977, and this bill is chaptered last

(3) The bill would provide that there shall be no appropriation nor reimbursement of any local agency for any costs incurred by it pursuant to the bill for a specified reason

Ch. 1094 (AB 4136) Ingalls. Explosives.

Under existing law, any person who manufactures, sells, furnishes, gives away, receives, stores, possesses, transports, uses, or operates a terminal for handling explosives is required to obtain a permit from the issuing authority having responsibility in the area where the activity is to be conducted. The governing body of a county, city, or city and county is required to designate as an issuing authority within its jurisdiction either the sheriff of a county, or the chief or other head of a municipal police department, or the chief of a fire department or fire protection agency.

This bill would require the State Fire Marshal to designate the sheriff of a county to be the issuing authority if the governing body of any county, city, or city and county does not designate an issuing authority.

Under existing law, the State Fire Marshal is required to prepare and adopt regulations regarding sale, use, handling, possession, and storage of explosives. Any required permit obtained from an issuing authority may include any restrictions or conditions which the issuing authority finds necessary.

This bill would require that the State Fire Marshal adopt regulations which would set uniform requirements for the use and handling of explosives that would apply statewide and preempt local requirements that are inconsistent.

The bill would provide that there would be no appropriation for allocation and disbursement to local agencies for costs incurred by them pursuant to this bill because of a specified reason.

Ch. 1095 (AB 4137) Ingalls. Air pollution: gasoline cargo tanks.

(1) Under existing law, the State Fire Marshal is required to adopt and enforce regulations regarding the design, construction, and maintenance of cargo tanks used for the transportation of flammable liquids.

There is no existing statutory authority under which the State Air Resources Board may adopt test procedures to determine the compliance, of such cargo tanks on tank vehicles used to transport gasoline, with vapor emission standards the state board determines are reasonable and necessary to achieve or maintain any applicable ambient air quality standard.

This bill would authorize the state board to adopt such test procedures, which would be required to be in conformance with regulations adopted by the State Fire Marshal with respect to cargo tanks, and to certify cargo tanks.

The bill would prohibit any person, on or after July 1, 1977, from operating, or allowing the operation of, a tank vehicle transporting gasoline unless the cargo tank thereon has been certified by the state board and is installed and maintained in compliance with the state board's requirements for certification. The state board, however, would be authorized to exempt, from the certification requirements, tank vehicles used exclusively to service gasoline storage tanks which are not required to have gasoline vapor controls.

Under existing law, gasoline storage tanks not required to have gasoline vapor controls are such tanks which (A) were installed prior to December 31, 1970, (B) have a capacity of less than 250 gallons, or (C) are used primarily for fueling of implements of husbandry.

The bill, on and after July 1, 1977, would require performance standards of any air pollution control district for cargo tanks on tank vehicles to be identical with those adopted by the state board, and would prohibit any district from adopting test procedures for, or requiring certification of, the cargo tanks.

(2) Under existing law, the state board is authorized to charge a reasonable fee to cover its cost in the certification of gasoline vapor control systems. The payment of the fee may be made a condition of certification.

The bill would require the state board to impose such fees in the certification of such systems and of cargo tanks on tank vehicles and would require the payment of the fee to be a condition of certification.

(3) The bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section, nor shall there be any appropriation made by this act, for a specified reason.

Ch 1096 (AB 4140) Ingalls Parking: disabled persons

(1) Under existing law, it is not unlawful for any person to park or leave standing any vehicle in a space or stall designated for physically handicapped persons.

This bill would make it unlawful for any person to park or leave standing any vehicle in a stall or space designated for physically handicapped persons, if immediately adjacent to and visible from such stall or space, there is posted a sign consisting of a profile view of a wheelchair with occupant in white on a blue background, unless the vehicle displays distinguishing license plates or placards issued for disabled persons, including disabled veterans

Such provisions would apply to all offstreet parking facilities owned or operated by the state, and to all offstreet parking facilities owned or operated by a local authority if so designated by the local authority by ordinance or resolution and to any privately owned and maintained offstreet parking facility under prescribed conditions

(2) Under existing law, a disabled person, as specified, is, for purposes of provisions of law which permit unrestricted parking in timed zones and free parking in metered zones by such persons, issued a distinguishing license plate for a vehicle registered to the person or used primarily to transport the person. Such plate is required to be issued by the Department of Motor Vehicles without additional fees

This bill would permit a person who qualifies for issuance of a distinguishing license plate, to apply to the department for a distinguishing placard. The bill would provide that the placard may be used in lieu of the distinguishing license plate for parking purposes when displayed on the driver's side dashboard of a vehicle. The bill would require that the placard be at least 6 inches by 12 inches in size, and blue in color. The bill would authorize the department to charge a fee sufficient to pay the actual cost to the department for issuance of placards, and to establish procedures for their issuance

(3) This bill also would make conforming changes in provisions relating to designation of parking spaces for disabled persons

(4) This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill.

(5) The bill would incorporate additional changes in Sec 21107.8, Vehicle Code, proposed by AB 4075, to be operative only if this bill and AB 4075 are both chaptered and become effective January 1, 1977, and this bill is chaptered last.

(6) The bill would incorporate additional changes in Section 22511.5, Vehicle Code, proposed by SB 1585, to be operative only if this bill and SB 1585 are both chaptered and become effective January 1, 1977, and this bill is chaptered last

Ch. 1097 (SB 1585) Smith. Vehicles unlimited parking. disabled persons

(1) Under existing law, generally, certain disabled persons are permitted to park vehicles for unlimited periods of time in parking zones restricted as to the length of time parking is permitted, and to park vehicles in any metered parking space without being required to pay any parking meter fees. As a condition to exercising such privilege, it is required that the vehicle display a distinguishing license plate issued by the Department of Motor Vehicles without additional fees

This bill would make such provisions applicable to a person who suffers from lung disease, as specified. Prior to issuing a distinguishing license plate for a person who indicates that he suffers from lung disease, the department would be authorized to require a certificate, signed by a physician licensed to practice medicine, stating that such person does suffer from such disease

(2) The bill would incorporate additional changes in Section 22511.5 of the Vehicle Code, proposed by AB 4140, to be operative only if this bill and AB 4140 are both chaptered and become effective January 1, 1977, and this bill is chaptered last

Ch 1098 (AB 4230) Hayden CSUC trustees

Currently, the Trustees of the California State University and Colleges consists of 5 ex officio members and 17 appointive members

This bill would add as an additional appointive member a representative of the alumni associations of the state university and colleges selected for a two-year term by the alumni council

This bill would also make additional changes in Sec 22601, Education Code, to be

operative only if this bill and AB 2932 are both chaptered and effective January 1, 1977, and this bill is chaptered after AB 2932.

Ch. 1099 (AB 4237) Arnett. Tidelands: revision of grant to City of San Mateo.

Existing law grants in trust to the City of San Mateo all salt marsh, tide, and submerged lands of the state that are within the boundaries of the city. Subsequently to such grant, a portion of such lands were granted in trust to the County of San Mateo. This grant of lands to the city is generally for their use in matters pertaining to commerce and navigation and is made subject to various express conditions.

This bill would revise such grant to the city to authorize the use of granted lands in matters pertaining to commerce, navigation, and fisheries, a shoreline park, and environmental protection. In addition, conditions under which the original grant is made would be revised to permit leases for a period of 66, rather than 25, years, and for different purposes, and to require that improvements to the lands be made without expense to the state. New provisions would be added, including a requirement that the city prepare a general use proposal of specified content for the granted lands, a requirement that revenues from granted lands be expended only for trust uses and purposes, and a requirement that the city report every fifth year on uses of the granted lands, and including authorization for the State Lands Commission to recommend to the Legislature termination of the grant if the city does not adhere to the general use proposal and to inquire into the city's compliance with the law concerning the granted lands. The bill would also delete provisions in the original grant relating to settling title in the lands, and would instead authorize the city to establish ordinary high- and low-water marks and to exchange granted lands for others, subject to various conditions, for settling boundary or title disputes. Finally, the bill would authorize the State Lands Commission to extinguish the public trust in granted lands that are improved, filled, and reclaimed.

The bill would provide that no appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill.

Ch. 1100 (AB 4262) Ralph. Unemployment insurance: trade disputes.

Existing law requires the Employment Development Department to conduct an investigation, whenever it determines a trade dispute is in progress, and establish classes of claimants who may be, or are, ineligible for unemployment compensation insurance benefits because of the trade dispute. The department is required, in specified cases, to transmit its findings to employers and labor organizations, and to publish the determination in two newspapers. Affected employers and labor organizations are permitted to appeal the department's determination.

This bill would repeal such provisions and would, instead, require the department to conduct an investigation and make specified findings, and to provide such findings to its field offices and affected employers and labor organizations. Such findings would not be a determination as to the eligibility of any claimant for unemployment insurance benefits pursuant to certain provisions relating to individuals leaving work because of a trade dispute.

Ch. 1101 (AB 4285) Brown. Mentally disordered sex offenders.

Existing law sets forth the procedure for the commitment of mentally disordered sex offenders, but provides that the provisions generally do not apply to persons sentenced to death or to any person ineligible for probation.

The bill would delete the latter exemption.

Existing law provides that when a person is convicted of any criminal offense, if it appears to the satisfaction of the court that there is probable cause to believe such a person is a mentally disordered sex offender, the court may certify the person for hearing and examination to determine whether or not he is such.

This bill would limit such authority to persons convicted of sex offenses, as defined. This bill would delete the above provisions with respect to juveniles over the age of 16 under the jurisdiction of the juvenile court.

Existing law provides, in such a proceeding, the judge shall appoint not less than two nor more than three psychiatrists, to make a personal examination of the alleged mentally disordered sex offender, directed toward ascertaining whether the person is a mentally disordered sex offender.

This bill would allow the appointment of a certified clinical psychologist to do as above, and would amend various sections relating thereto to include psychologists

Existing law provides that the judge may, for any hearing, order the clerk of the court to issue subpoenas and compel the attendance of witnesses from any place within the boundaries of this state, but no person is obliged to attend as a witness in such a hearing out of the county where he resides or is served unless the judge, upon affidavit to the effect that affiant believes that the evidence of the witness is material and his attendance at the hearing necessary, indorses on the subpoena an order for the attendance of the witness

This bill would delete the above and provide for the compelling of witnesses as in a criminal case.

Existing law provides if the alleged mentally disordered sex offender has no attorney, the judge may appoint an attorney or the public defender to represent him

This bill would require the judge to do so.

Existing law provides that if the court is satisfied that the person is a mentally disordered sex offender but would not benefit by care or treatment in a state hospital or other facility it may recertify the person to the superior court of the county and the superior court may make an order committing the person for an indefinite period to the State Department of Health for placement in a state institution or institutional unit for the care and treatment of mentally disordered sex offenders designated by the court

This bill would delete the above

Existing law provides that if the court orders the commitment of the person to the department for placement in a state hospital or to the county mental health director for placement in an appropriate facility, the court may, in the order of commitment, require the superintendent of the state hospital or other facility to make periodic reports to the court concerning the person's progress towards recovery.

This bill would require the court to do so.

Existing law provides for the trial of the question of whether a person is a mentally disordered sex offender as a civil cause

This bill would provide for such trial as a criminal cause, and make related changes

Existing law provides that if a mentally disordered sex offender has been treated to such an extent that in the opinion of the superintendent or county mental health director the person will not benefit by further care and treatment in the hospital or facility and is not a danger to the health and safety of others, the committing court shall forthwith order the return of the person to such committing court and shall thereafter cause the person to be returned to the court in which the criminal charge was tried for further proceedings with reference to such criminal charge

This bill would repeal the above

Existing law provides that every person committed for an indeterminate period to a state hospital or state institution or other public or private mental health facility as a mentally disordered sex offender, who escapes from or who escapes while being conveyed to or from such county facility, state hospital or state institution, is punishable by imprisonment in the state prison not to exceed 5 years or in the county jail not to exceed one year

The bill deletes the restriction that the section is applicable only to persons committed for an indeterminate period and the 5-year restriction on imprisonment in the state prison

This bill would provide that there is no reimbursement to local agencies because costs imposed by the act are incurred as part of their normal operating procedures

This bill would incorporate additional changes in Section 6325 of the Welfare and Institutions Code, to be effective only if SB 42 is chaptered

This bill would incorporate additional changes in Section 6330 of the Welfare and Institutions Code, to be effective only if SB 42 is chaptered

Ch 1102 (AB 4316) Brown Parking exemptions from restrictions

Existing law permits local authorities to prohibit or restrict, by ordinance or resolution, the parking or standing of vehicles on certain streets, or portions thereof, during all or certain hours of the day With specified exceptions, no such ordinance or resolution is applicable until signs giving adequate notice thereof have been placed One such exception provided by existing law permits local authorities to prohibit or restrict, by ordi-

nance or resolution, without placing signs or markings, the parking or standing of vehicles on certain streets or highways, or portions thereof, between 2 a.m. and 6 a.m.

In addition, provisions of the Vehicle Code provide that the ordinance or resolution pertaining to parking between 2 a.m. and 6 a.m. may include provision for a system of permits to exempt from the prohibition or restriction of such ordinance or resolution, handicapped persons and residents of high-density, multiple-family dwelling areas or similar areas lacking adequate offstreet parking facilities.

This bill would permit local authorities to include in the ordinance or resolution a designation of certain streets upon which preferential parking privileges, which the bill would specify, would be given to residents and merchants adjacent to such streets. The general requirement regarding the placing of signs would be applicable to such provisions regarding preferential parking.

Ch 1103 (AB 4325) Vasconcellos. Postsecondary education.

Under existing law, the California Postsecondary Education Commission has as a primary function, eliminating waste and unnecessary duplication in public postsecondary education in California.

This bill would require the California Postsecondary Education Commission to study, in cooperation with the public and private segments of postsecondary education in California through either advisory committees or task forces, the policies and practices relating to part-time students and to study nondegree credit and noncredit postsecondary educational activities within California, as specified. The commission would be required to report its findings and recommendations to the Legislature.

Ch 1104 (AB 4333) Siegler. Guardianship: bond

Under existing law, a person appointed a general guardian of the person and estate of a minor is required to give bond.

This bill would provide that, notwithstanding such provisions, the court may dispense with the requirement of bond when the entirety of the estate of a minor consists of benefits received or to be received under public social services programs providing aid and medical assistance to the aged, blind, and disabled and aid and relief to indigents. If other property becomes part of the estate the court may require bond to be filed.

Ch 1105 (AB 4336) Fazic. Campaign statements

Existing law requires a candidate and a committee supporting or opposing a candidate to file 2 preelection and 1 postelection statements in connection with an election, and to file semiannual campaign statements covering nonelection periods. Each statement must disclose all contributions received and expenditures made, including specified identifying information regarding each contributor or recipient of \$50 or more.

This bill would permit certain committees required to file campaign statements in connection with an election or circulation of a measure to file abbreviated statements, and provides a procedure whereby any committee could designate a preelection campaign statement or an abbreviated statement as a "final statement." The bill would also make some technical, nonsubstantive changes.

The bill declares that it would further the purposes of the Political Reform Act of 1974

Ch 1106 (SB 1362) Rains. Elections: campaign disclosure.

(1) Existing law requires a candidate and a committee supporting or opposing a candidate to file 2 preelection and 1 postelection statement in connection with an election, and to file semiannual campaign statements covering nonelection periods. Each statement must disclose all contributions received and expenditures made, including specified identifying information regarding each contributor or recipient of \$50 or more. Instead of filing a campaign statement, a candidate or officeholder may file a sworn statement that to the best of his knowledge not more than \$200 has been received or expended on behalf or in support of the candidate.

This bill would permit certain committees required to file campaign statements in connection with an election to file abbreviated statements and provide a procedure whereby any committee could designate a preelection or abbreviated campaign statement as a "final statement."

(2) Existing law requires a mass mailing to be metered, sent by bulk rate mail, or to

contain the name and address of the sender on the outside and 1 of the inserts of each piece of mail. A separate provision of law (Sec. 11707, Elec.C.) requires any printed matter having reference to an election or any candidate to bear upon its face the name and address of the printer and publisher.

This bill would delete the postage meter and bulk rate options and require each piece of a mass mailing to contain the name and address of the sender. A registered campaign committee could use a post office box number if the organization's address is a matter of public record with the Secretary of State. Section 11707 of the Elections Code would not apply to any mass mailing which complies with the above.

(3) The bill would also change filing schedules for some campaign statements and make various clarifying and technical changes in the state campaign disclosure law.

(4) The bill declares that it would further the purposes of the Political Reform Act of 1974.

(5) This bill provides that if this bill and AB 4336 are both chaptered and both add Sec. 84204.2 to the Government Code, and this bill is chaptered after AB 4336, that Section 84204.2 as added to the Government Code by AB 4336 shall become operative and Section 84204.2 as added by this bill shall not become operative.

Ch. 1107 (AB 4426) Wilson Landlord-tenant: automatic lease renewals

Existing law provides that specified automatic renewal or extension terms of a lease for the hiring of real property shall be null and void unless such terms, if contained in a printed contract, appear in such lease in a specified manner. Existing law makes a waiver of the above provisions void.

This bill would make such terms voidable by the party who did not prepare the lease, rather than void, and would provide that the waiver of the provisions of existing law are against public policy.

Ch 1108 (AB 4521) Meade State highways: excess real property

Under existing law, the Department of Transportation is authorized to sell real property acquired for state highway purposes, but no longer required for such purposes, on such terms as established by the California Highway Commission. The general practice of the department is to sell such property at public auctions or by sealed bids.

This bill, with respect to such residential real property acquired for the construction of a state highway but no longer needed for such purpose because such construction will not be undertaken, would require, with two specified exceptions, the department to first offer the real property for sale at its current fair market value to the occupant thereof if the occupant has leased the real property from the department, has used and occupied the real property for over 10 years, and has made permanent improvements during that time on the real property at his own expense. These provisions would remain in effect only for one year from the effective date of enactment.

The bill would take effect immediately as an urgency statute.

Ch 1109 (AB 1032) Vasconcellos Mental health.

Under existing law a mental patient has a right to refuse shock treatment except if such patient is unable to give written informed consent, shock treatment may be performed under certain conditions upon giving an explanation to a relative, guardian or conservator when approved by the review committee.

This bill would express the Legislature's intent with respect to the rights of a mental patient prior to administering convulsive treatment.

The bill would require certain information be given to the patient concerning psychosurgery or convulsive treatment and defines voluntary informed consent. The bill would require such consent for psychosurgery and unanimous agreement by a three-physician review committee as to the treatment and consent.

This bill provides for the right of a mental patient to refuse convulsive treatment rather than shock treatment.

The bill also requires the attorney or other designated person to agree that the patient can give written informed consent. The bill requires a court hearing to determine the patient's capacity to give written informed consent if either the attending physician or the patient's attorney believes the patient does not have such capacity. If the court determines that the patient does not have such capacity the bill authorizes specified relatives, guardian or conservator to consent.

The bill provides that for patients voluntarily admitted a board-certified or board-eligible psychiatrist or a board-certified or board-eligible neurologist other than the attending physician must verify that the patient has capacity to give and has given informed consent, rather than the review and agreement by the committee and the patient's attorney or other designated person.

Under existing law the rights of a minor mental patient over age 14 may be executed by the minor or the parent or other custodian.

This bill would prohibit convulsive treatment on minors under age 12, specify conditions under which convulsive treatment may be performed on minors aged 12 to under 16 years of age, and authorize persons 16 and 17 to exercise their rights.

Under existing law the report of the denial of a mental patient's rights and the rights denied is available to Members of the State Legislature and of the county board of supervisors. This bill provides that the reports are available to such members except for the identity of the person whose rights are denied.

Under existing law a physician is subject to a civil penalty of not more than \$10,000 for violation of a provision concerning specified legal rights of mental patients or revocation of his license, or both.

This bill makes such violation subject to a civil penalty of not more than \$5,000 and a grounds for revocation of license.

This bill also redefines "informed consent" for the purpose of psychosurgery and convulsive therapy.

This bill provides that neither appropriation is made nor obligation created for reimbursement of any local agencies for any costs incurred by it pursuant to the act.

Ch. 1110 (AB 2189) Ingalls. Air pollution. research center.

This bill would appropriate \$54,000 to the Regents of the University of California for expenditures for public information and research dissemination activities by the State-wide Air Pollution Research Center located at the University of California at Riverside.

Ch. 1111 (AB 2816) Miller. Peace officers prohibition of arrest quotas.

(1) Existing law does not prohibit the establishment of arrest quotas by law enforcement agencies.

This bill would prohibit any state or local agency employing peace officers engaged in traffic law enforcement from establishing any policy requiring its personnel to meet an arrest quota, as defined. Further, no state or local agency employing peace officers engaged in such activity would be permitted to use the number of arrests or citations issued by a peace officer as the sole criteria for promotion, demotion, dismissal, or the earning of any benefit provided by the agency. Such arrests or citations, and their ultimate disposition, would only be permitted to be considered in evaluating the overall performance of a peace officer. The bill would specify criteria which such an evaluation may include.

Ch. 1112 (AB 3281) Alatorre. Cosmetology.

Existing law does not require instructions for examinations for a license issued pursuant to the Cosmetology Act to be given in any language other than English.

This bill would require all written instruction given during any examination conducted pursuant to the Cosmetology Act to be available in Spanish to applicants.

Ch. 1113 (AB 4461) McVittie. Air pollution hearing board.

(1) Under existing law, a decision of a hearing board of an air pollution control district becomes effective 30 days after it is filed, unless a rehearing is granted by the hearing board or the hearing board orders that the decision take effect sooner.

This bill would make the decisions of a hearing board effective upon filing, unless the hearing board orders otherwise.

(2) Under existing law, a judicial review of a decision of a hearing board may be had by a writ of mandate.

The bill would specify that such a review would be conducted as are reviews of administrative orders and decisions by the courts.

(3) Under existing law, an air pollution control district board may establish, by regulation, a permit system requiring, with specified exceptions, that a person secure from the

district air pollution control officer a permit before building, erecting, altering, replacing, or operating any article, machine, equipment, or other contrivance which may cause the issuance of air contaminants.

The bill would specifically authorize the regulations to provide that permits be valid only for specified periods. A permit, however, would be renewable upon payment of the required fees, unless a final determination has been made to revoke or suspend the permit and all appeals, or time for appeals, from the final determination has been exhausted.

(4) Under existing law, the hearing board may grant variances from the rules and regulations of the district.

The bill would prohibit the hearing board, where the district board has established a permit system, from granting a variance to the requirement that a permit be secured before building, erecting, altering, or replacing any article, machine, equipment, or other contrivance which may cause the issuance of air contaminants

(5) Under existing law, the hearing board may grant an interim variance to a person who applied for a noninterim variance and who desires to commence or continue operation pending the decision of the hearing board on the application for a noninterim variance

The bill would also authorize the hearing board, with specified exceptions, to grant, to a person granted a variance with a schedule of increments of progress who filed an application for modification of the schedule, an interim authorization to continue operation pending a public hearing by the hearing board on the application, for not more than 30 days, if the person is unable to notify the hearing board sufficiently in advance for it to hold a public hearing on the application.

Ch 1114 (SB 1096) Grunsky. Animals: dogs, cats; sale, death

(1) Present law does not specifically regulate the retail sales of dogs and cats in this state.

This bill would enact requirements pertaining to the business of selling dogs and cats at retail. This bill would require the segregation of healthy dogs and cats from diseased dogs or cats and would require the retail dealer of dogs or cats to deliver a specified history and health statement for each dog and cat sold by him to the purchaser of the animal at the time of sale. It would also require the retail seller to maintain such written record on each dog or cat received by him. This bill would authorize the district attorney to recover civil penalties for violations of these provisions, not exceeding \$250 for each violation.

(2) Under existing law, there are no specific provisions regulating the use of nitrogen gas to kill a dog or cat.

This bill would enact such provisions making related changes in existing law and would prohibit the use of nitrogen gas to kill a dog or cat, except in conformance with such provisions.

(3) Existing law authorizes a humane officer to enter any facilities, utilizing a high-altitude decompression or carbon monoxide chamber to kill any dog or cat, for the purpose of inspecting the operation of such facilities.

This bill would authorize any humane officer, in addition, to enter facilities, utilizing a nitrogen gas chamber to kill any dog or cat, for such inspection purposes. The bill would also authorize the State Sealer to enter any facilities, utilizing a high-altitude or carbon monoxide chamber or nitrogen gas chamber to kill any dog or cat, for such inspection purposes.

Ch 1115 (AB 3119) Hayden. Retirement of public employees.

Existing Public Employees' Retirement Law defines "compensation" for retirement purposes as including most forms of remuneration paid to or on behalf of employees.

This bill would exclude from such definition payments by an employer on behalf of an employee which are credited as employee contributions for benefits provided by the system, and payments made by an employer on behalf of an employee to employee accounts in deferred compensation plans. The bill specifies that this is declaratory of existing law.

Existing Public Employees' Retirement Law, County Employees Retirement Law of 1937, and other local retirement systems provide for receipt of reciprocal benefits if a person has 6 months break in service between systems.

This bill would expressly provide that such provisions shall be applicable with respect to employment occurring on and after January 1, 1976, and would specify that this is declaratory of existing law.

Existing Public Employees' Retirement Law provides for termination of the contract of a contracting agency of the system upon agreed merger of its contract with the contract of another contracting agency.

This bill would, in addition, provide that the contract of a contracting agency, which intends to continue in existence in name only, shall terminate upon agreed merger of its contract with the contract of another contracting agency.

The existing Public Employees' Retirement Law relating to the integration of state retirement benefits with the federal system makes reference to federal-state agreement, as defined.

This bill would delete the reference to federal-state agreement and instead refer to coverage under the federal system.

Existing Public Employees' Retirement Law provides that a contracting agency which elects not to be a member of the pool must hold employee contributions separately for the benefit of its employees, retired employees, and their beneficiaries.

This bill would provide that a contracting agency initially contracting with the system, or a contracting agency which amends its contract to provide certain benefits to spouses of deceased patrol members, safety members, and specified local miscellaneous and local safety members, shall not join the pool. The bill would provide that such contracting agencies must hold employee contributions separately for the benefit of their employees, retired employees, and their beneficiaries.

Existing Public Employees' Retirement Law provides that a member who is temporarily separated from state service because he becomes a member of the retiring annuities system of the university receives credit under the system for service rendered the university solely for qualification for death benefit and retirement, but not for calculation of death benefits or retirement allowances.

This bill would repeal such provision.

Existing Public Employees' Retirement Law permits certificated school employees who are part-time employees to have their retirement allowances and other specified benefits, including health benefits, in the system based on full-time employment if the employee and the employer both elect to make the contributions required for full-time employment.

This bill would expressly provide that such provisions shall apply to employment after January 1, 1976, would specify that this is declaratory of existing law, and would include in the health insurance provisions of the law the right of such employees to enroll in a health benefits plan.

The bill would also make other technical, nonsubstantive changes to existing law.

The bill would make additional changes in Sections 20045 and 31840.4 of the Government Code, proposed by Senate Bill 803, to be operative only if this bill and Senate Bill 803 are both chaptered and this bill is chaptered after Senate Bill 803.

This bill would also incorporate additional changes in Section 21251 13, Government Code, proposed by AB 1891, to be effective only if AB 1891 and this bill are both chaptered and become effective on or before January 1, 1977, and this bill is chaptered last.

This bill would also incorporate additional changes in Section 20815, Government Code, proposed by Assembly Bill No. 2387, to be effective only if Assembly Bill No. 2387 and this bill are both chaptered and become effective on or before January 1, 1977, and this bill is chaptered last.

Ch 1116 (AB 2843) Egeland Methamphetamine and PCP

Current law makes it a felony, punishable by from 1 to 5 years in state prison, for any person who is not a licensed drug manufacturer or authorized by the State Board of Pharmacy, to possess both methylamine and phenylacetone at the same time with intent to manufacture methamphetamine.

This bill would make it a felony with the same penalty for any person to possess both piperidine and cyclohexanone at the same time or a combination product thereof with intent to manufacture phencyclidine, except with respect to licensed drug manufacturers and persons authorized by the State Board of Pharmacy. The bill would also provide

that possession of immediate precursors sufficient for the manufacture of methylamine, phenylacetone, piperidine, or cyclohexanone, or possession of any compound or mixture containing piperidine or cyclohexanone, shall be deemed to be possession of such a substance for purposes of the above-mentioned provisions of current and proposed law.

This bill would make no appropriation to reimburse local agencies for costs incurred by them pursuant to this bill for a specified reason.

Ch 1117 (AB 2844) Egeland. Controlled substances: reports.

Under existing provisions of the California Uniform Controlled Substances Act, any manufacturer, wholesaler, retailer, or other person who sells, transfers, or otherwise furnishes prescribed controlled substances to any person in this state, is required to submit a report to the State Department of Justice of such transaction

This bill would include piperidine as a prescribed controlled substance subject to such reporting requirements.

The bill would provide that there would be no appropriation to the State Controller for allocation and disbursement to local agencies for costs incurred by them pursuant to this bill for a specified reason.

Ch. 1118 (AB 3225) Maddy. Tear gas and tear gas weapons.

Existing law makes the knowing sale, offer for sale, possession, or transportation of any tear gas weapon, except as permitted by law, punishable as a felony by fine or imprisonment or both and provides for the issuance of permits and licenses by the Department of Justice regarding such activities and the certification of such weapons.

This bill would expressly include tear gas in such provisions and specify the powers of the department with regard to tear gas and tear gas weapons

This bill would provide that there shall be no reimbursement nor appropriation made pursuant to the bill for a specified reason.

Ch. 1119 (AB 3303) Goggin. Crimes: dwellings, buildings, vehicles; penalties.

Under existing law it is a felony punishable by imprisonment for not less than one year or more than five years in state prison to maliciously and willfully throw or project specified matter at, or discharge a firearm at, a vehicle or any occupant thereof on a highway with intent to do great bodily injury. It is also an alternative felony-misdemeanor for any person to maliciously and willfully discharge a firearm at an inhabited dwelling or occupied building with the felony punishable by imprisonment in the state prison for not less than one year or more than five years.

This bill would make it an alternative felony-misdemeanor to maliciously and willfully discharge a firearm at an occupied motor vehicle and would delete the specified minimum and maximum periods of imprisonment in state prison

This bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by this bill for a specified reason.

Ch 1120 (AB 3477) Maddy. Battery

Existing law makes battery generally a misdemeanor, but an alternative felony-misdemeanor when committed against certain peace officers, and a felony when committed by a state prison inmate against a noninmate

This bill would make battery by a city or county jail farm or road camp inmate against a noninmate of such facility an alternative felony-misdemeanor

This bill also provides that, notwithstanding Sec. 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by this act for a specified reason.

Ch 1121 (AB 3495) Wilson. Pornography

Existing law proscribes various conduct with respect to "obscene matter" or "harmful matter," as defined, including generally the distribution thereof, but does not specifically prohibit its sale in vending machines or within any specified distances of any school.

This bill would make it a misdemeanor for any person to knowingly sell or offer to sell, within 500 meters of any elementary school, junior high school, high school, or public playground or any part thereof, in any coin- or slug-operated vending machine, or mechanically or electronically controlled vending machine, on a public sidewalk, any harmful matter displaying to public view the commission of specified sexual acts

This bill provides that there shall be no reimbursement pursuant to this bill nor appropriation made by this bill for a specified reason

Ch. 1122 (AB 3620) Antonovich. Appliances: misdemeanor.

Existing law does not prohibit persons from discarding or abandoning an appliance, other than a refrigerator, icebox or deep-freeze locker, which has not had its doors removed or the hinges and such portions of the latch mechanisms removed to prevent latching or locking of its doors; and it does not prohibit persons from knowingly allowing such appliances to remain on premises under their control, but does prohibit such conduct with respect to any refrigerator, icebox, or deep-freeze locker.

This bill would prohibit the above acts, in addition, as to clothes dryers, washing machines, or other appliances, and it would make a violation of such provision a misdemeanor. The bill would also provide that its provisions would not apply to a vendor or seller of clothes dryers, washing machines or other appliances who undertakes specified preventive action.

This bill would also provide that no appropriation is made to local agencies for costs incurred by them for a specified reason.

Ch. 1123 (AB 3950) Foran. Temporarily released inmates: escape

Existing law prohibits the escape or failure to return to confinement by various prisoners, but does not prohibit the escape from hospitalization of certain unguarded prisoners charged with or convicted of a felony, or the failure of specified inmates to return to confinement after the expiration of a specified 3-day release period

The bill would prohibit the escape of such unguarded hospitalized prisoners and such failure to return as to such temporarily released inmates.

This bill also provides that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by this act for a specified reason.

Ch. 1124 (AB 4321) Knox. Crimes: punishment torture

Under existing law first-degree murder perpetrated by torture is punishable by life imprisonment, with parole eligibility after 7 years

This bill would prohibit parole in cases of first-degree murder by torture with the intent to kill.

Ch. 1125 (SB 624) Holden. Crime: fines and imprisonment

Present law provides for the possible imposition of a specified fine or imprisonment or both for the commission of various misdemeanor and felony violations

The bill would raise the maximum and reduce the minimum amount, if any, of such fines, and in certain cases would reduce the term of imprisonment in the county jail, that may be imposed upon the conviction of specified misdemeanor and felony offenses

Ch. 1126 (SB 931) Greene. Assault and battery.

Existing law provides increased punishment for an assault or battery against certain peace officers and firemen.

This bill would include special officers of the Department of Airports of the City of Los Angeles commissioned by the city police commission within such category of peace officer, and provides similar increased punishment for battery committed against a custodial officer.

This bill also makes additional changes proposed by SB 42, to be operative only if SB 42 and this bill are both chaptered and become effective on January 1, 1977, and this bill is chaptered after SB 42.

Ch. 1127 (SB 1636) Nejedly. Advertising. unlawful weapons.

Existing law makes it a misdemeanor to advertise the sale of tear gas, tear gas devices, and tear gas weapons, unless a prescribed statement indicates that the possession or transportation of tear gas and tear gas weapons or devices is prohibited by law, unless specifically exempted or permitted pursuant to specified authority.

This bill, in addition, would make it a misdemeanor to advertise certain weapons or devices, including blackjacks, slungshots, billies, nunchakus, sandclubs, sandbags, sawed-off shotguns, and metal knuckles.

The bill also would provide that no appropriation is made for reimbursement of local agencies for costs incurred by them pursuant thereto because the Legislature recognizes that during any legislative session a variety of changes to laws relating to crimes and infractions may cause both increased and decreased costs to local government entities which, in the aggregate, do not result in significant identifiable cost changes.

Ch 1128 (SB 1820) Song. Criminal cases: jury instruction

Existing statutory law provides that no appeal shall be taken by a defendant from a judgment of conviction upon a plea of guilty or nolo contendere except where the defendant files a written statement as specified and the court executes and files a certificate of probable cause for appeal.

This bill would provide that no appeal shall be taken by a defendant from a revocation of probation following an admission of violation unless the same conditions are met

Ch. 1129 (SB 1892) Nejedly Crimes: police radio interception

Interception and divulgence of a police radio communication would violate present federal law but would not generally violate state law except where divulgence of information in connection with the commission of a crime makes the actor a principal or accessory. Federal law does not prohibit the enactment of similar state laws not in conflict with federal law.

This bill would make the interception and divulgence of a police radio communication to a suspect, with the intent that such suspect may avoid or escape from arrest, trial, conviction, or punishment, in a criminal case, a misdemeanor under state law.

The bill also provides that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by this act for a specified reason.

Ch 1130 (SB 2047) Russell. Peace officers. school security patrol members.

Existing law provides that members of security patrols appointed by school districts are designated as peace officers while engaged in the performance of the duties of their employment, and provides increased punishment for an assault, battery, and assault with a deadly weapon on specified peace officers, excluding such security patrols.

This bill would provide that members of security patrols appointed by school districts are also designated peace officers in the category which provides such increased punishment for assault, battery, and assault with a deadly weapon on such peace officers

This bill would incorporate additional changes in proposed Sections 241.4, 243.4, and 245.4 of the Penal Code, to be operative only if Senate Bill No. 42 is chaptered.

Ch. 1131 (SB 2063) Russell Theft: retail merchandise

Existing law provides various punishments for the theft of personal property.

This bill would provide that petty theft of merchandise from a merchant, as defined, would subject a first-time offender to a mandatory fine of not less than \$50 nor more than \$1,000 and possible imprisonment not exceeding 6 months; or both. A minor may be required to perform public services by the juvenile court, and any person may be required to perform public service in lieu of the fine. Petty theft of merchandise from a merchant by an unemancipated minor without regard to whether it is a first offense would be imputed to his parent or legal guardian who would be jointly and severally civilly liable with the minor to the merchant for the value of the merchandise, damages of not less than \$50 nor more than \$500, and costs. Total damages including the value of the merchandise could not exceed \$500.

The collected fines would be distributed in a specified manner.

Case law permits a merchant to detain a shoplifter for the purpose of conducting an investigation if he has probable cause to believe a theft has occurred and statutory law permits a citizen's arrest to be made when a crime is definitely committed in his presence.

The bill would provide that a merchant may, without civil or criminal liability, detain a person for specified purposes if the merchant acted reasonably and had probable cause to believe that the person is attempting to steal or has stolen merchandise from the merchant's premises.

Ch. 1132 (SB 2098) Presley. Controlled substances: fines

Under existing law, a trial court is prohibited from granting probation or suspending sentences of persons convicted of specified offenses relating to the possession for sale or the sale or offering for sale of heroin.

This bill would require the trial court to impose, in addition to such imprisonment, a fine, not exceeding \$50,000 for each offense, upon a person convicted of any such offense in the absence of a finding that the defendant would be incapable of paying such a fine

Ch. 1133 (SB 2102) Presley. Assault with a deadly weapon: peace officer

Existing law provides that every person who commits an assault with a deadly weapon or instrument or by means likely to produce great bodily injury upon a peace officer, as defined, or fireman, when such officer or fireman is engaged in the performance of his duties, must be punished by imprisonment in the state prison for six months to life, and if such person has been previously convicted of a felony, he must be punished by imprisonment in the state prison for five years to life.

This bill would include in the definition of peace officer under the above prescribed provision the Deputy Director, Assistant Directors, chiefs, assistant chiefs, special agents, and narcotic agents of the Department of Justice, and such investigators who are so designated by the Attorney General.

This bill would also incorporate additional changes in proposed Section 245.2 of the Penal Code, relating to the punishment of assault with a deadly weapon upon such a peace officer, to be operative only if Senate Bill No. 42 is chaptered

Ch. 1134 (SB 2104) Presley. Controlled substances seizures: reports

Under existing law there is no requirement that state or local agencies make semianually reports to the Attorney General on the seizure and disposition of controlled substances.

This bill would so provide and would require the reports to contain such information and be in a form prescribed by the Attorney General. The bill would further require the Attorney General to report to the Governor and the Legislature annually, summarizing and correlating the reports so submitted to him.

The provisions of the bill would be effective only until January 1, 1980

This bill would provide that there is no appropriation nor obligation created for reimbursement of local agencies for costs incurred by them pursuant to the bill

Ch. 1135 (SB 2137) Holmdahl. Crimes: probation: previous convictions

Existing law prohibits granting of probation, except in interests of justice, to persons previously convicted twice of a felony.

~~This bill would prohibit adult probation on adult conviction of designated felonies under charges separately brought and tried 2 or more times of any designated felony as defined in all the convictions occurred within a 10-year period.~~

[This bill would prohibit probation to an adult defendant convicted of a major felony, as specified (for example, murder, manslaughter, kidnapping, robbery, or great bodily injury occurring in perpetration of an assault to commit robbery, mayhem, or rape), when the adult defendant had been previously convicted as an adult, 2 or more times, under charges separately brought and tried, of any of such major felonies, if all convictions occurred within a 10-year period.] *

Ch. 1136 (SB 2097) Presley. Controlled substances: punishment for certain violations.

Existing law provides that upon conviction for any crime punishable by imprisonment in any jail or prison, if no fine is prescribed, in addition to the term of imprisonment, a fine of up to \$500 in the case of a misdemeanor, or a fine of up to \$5,000 in the case of a felony, may be imposed by the court

The California Controlled Substances Act presently does not prescribe a fine, but does prescribe a penalty of imprisonment in the state prison for not to exceed six years, or in a county jail for not exceeding one year, for any person who commits any violation included in any of the following seven categories of violations of the act with respect to opium and opiates, opium derivatives, marijuana, mescaline, peyote, tetrahydrocan-

nabinols, coca leaves and derivatives, which are in Schedule I or II, or other controlled substances in Schedule III, IV, or V that are narcotic drugs, or who in any voluntary manner solicits, induces, encourages, or intimidates any minor, with the intent that such minor shall commit such violations

(1) Writes, issues, fills, compounds, or dispenses a prescription not in conformity with the California Controlled Substances Act.

(2) Issuance by a doctor of, or the filling by a pharmacist of, an order purporting to be a prescription for a controlled substance for an addict or habitual user of controlled substances, which is not in the course of professional treatment nor part of an authorized methadone maintenance program, for the purpose of providing the user with sufficient controlled substances to maintain his customary use.

(3) Prescribes, administers, dispenses, or furnishes a controlled substance, except in the regular practice of his profession, to or for any person who is not under his treatment for a pathology or condition other than addiction to a controlled substance, except as provided in the California Controlled Substances Act

(4) Possession, administering, dispensing, or prescribing a controlled substance by a physician who voluntarily or pursuant to court order, or state or governmental agency order, has surrendered his controlled substance privilege, unless such privilege has been restored and the physician has obtained current registration from the appropriate agency.

(5) Prescribes, administers, or dispenses a controlled substance to an addict or habitual user, or any person representing himself as such, except as permitted by the California Controlled Substances Act.

(6) Obtains or procures, or attempts to obtain or procure, the administration of, or prescription for, a controlled substance by fraud, deceit, misrepresentation, subterfuge, or concealment of a material fact; makes a false statement on a prescription order, report, or record required by the California Controlled Substances Act; falsely assumes the title of, or representation of oneself to be, a manufacturer, wholesaler, pharmacist, physician, dentist, veterinarian, or authorized person for the purpose of obtaining controlled substances; or affixes any false label to packages or receptacle containing controlled substances.

(7) Gives a false name or address in connection with the prescribing, furnishing, administering, or dispensing of a controlled substance.

This bill would make the commission of any violation included within the first 5 of the above seven categories of violations, in addition to, or in place of, such terms of imprisonment, punishable by a fine of not to exceed \$20,000.

This bill would incorporate additional changes in Section 11371, Health and Safety Code, proposed by SB 42, to be operative only if SB 42 and this bill are both chaptered and become effective January 1, 1977, and this bill is chaptered last. This bill would also make additional changes in Section 11371.1, Health and Safety Code, as added by this bill, to be operative only if SB 42 and this bill are both chaptered and become effective January 1, 1977. In such case, the above-mentioned changes in Sections 11371 and 11371.1, Health and Safety Code, would become operative on the operative date of SB 42.

Ch 1137 (AB 3140) Campbell. Crimes: bomb report

Existing law prohibits falsely reporting to or informing other persons that a bomb has been placed

This bill would prohibit similar statements that a bomb will be placed

This bill also provides that no reimbursement is made to local agencies for costs incurred by them pursuant to this act for specified purposes.

This bill also makes additional changes proposed by SB 42, to be operative only if SB 42 and this bill are both chaptered and become effective on January 1, 1977, and this bill is chaptered after SB 42.

Ch. 1138 (SB 685) Presley Crimes

Existing law provides increased punishment for an assault, battery, or assault with a deadly weapon or by means of force likely to produce great bodily injury, committed upon the person of certain specified peace officers. This bill would add specified correctional parole and probation officers to the list of such peace officers

This bill also makes additional changes proposed by SB 42, to be operative only if SB 42 and this bill are both chaptered and become effective on January 1, 1977, and this bill is chaptered after SB 42

Ch. 1139 (SB 42) Nejedly. Imprisonment.

This bill generally substitutes for the indeterminate sentence law a system whereby the judge selects a term of imprisonment from three statutory choices, with a new state agency administering revised provisions relating to sentencing, good time credit and parole; and more specifically the changes made would include the following:

Under existing law, felony crimes are punishable by various specified maximum and minimum periods of imprisonment in the state prison, or, in cases where the period of imprisonment is not specified, by imprisonment not exceeding 5 years with a minimum of 6 months; and in cases where a minimum is specified without a maximum, the maximum is life. This bill would revise such provisions to specify for numerous crimes fixed alternative sentences such as 2, 3 or 4 years; or 3, 4, or 5 years, or 5, 6, or 7 years, and to provide for an alternative of 16 months or 2 or 3 years where the terms are not otherwise prescribed.

Under existing law the judge in sentencing a convicted person to imprisonment in a state prison is prohibited from fixing the term of imprisonment. Under this bill the judge would choose from among the three available alternatives specified for the various felony crimes. This bill would provide various procedures to be followed by the trial judge in sentencing, including the statement of reasons for his sentence choice, and informing the defendant that generally he may be on parole for 1 year after his sentence expires.

Under existing law the Judicial Council may conduct certain judicial institutes and seminars. This bill would require the Judicial Council to adopt sentencing rules for the consideration of trial courts, to collect, analyze and distribute sentencing information to trial judges, and to conduct sentencing institutes and to hold hearings and make legislative recommendations.

Under existing law inmates receive good behavior credit according to a specified formula. This bill would provide for the granting of a $\frac{1}{3}$ sentence reduction for good time and participation and provide procedures for the denial of such credit.

Under existing law the granting and revocation of parole and the fixing of sentences are determined by the Adult Authority and the California Women's Board of Terms and Paroles. This bill would abolish the Adult Authority and California Women's Board of Terms and Paroles, would provide fixed alternative sentences as described above for determination by the trial courts, and would create the Community Release Board with specified powers and duties relating to the granting of parole.

Under existing law prisoners are eligible for parole after serving the minimum, or one-third of the minimum term prescribed by law, as specified, and a prisoner may be on parole until the expiration of the maximum term of imprisonment for the crime he committed. Under this bill prisoners would be, in the absence of waiver for good cause, on parole for 1 year after the expiration of the prescribed sentence. Time served in prison after parole revocation would be limited to 6 months or the end of the 1-year period computed from the time parole began, whichever is sooner.

Under existing law prisoners after being on parole for 2 years, may be determined to be rehabilitated and discharged. Under this bill, all prisoners paroled would be discharged upon successful completion of parole or after such 1 year.

Under present law, notice of meetings held by the Adult Authority to fix terms or to consider parole of prisoners is not mandatory, such meetings are not public, no transcript is made public, no reasons need be publicly stated for the grant of any parole, and no finding that a prospective parolee is no longer a danger to society is required.

This bill would mandate notice of meetings of the Community Release Board to fix terms or to consider actual parole for any prisoner serving a state prison term for specified offenses, require a transcript be prepared and made public within thirty (30) days of such hearings, require supporting reasons on the record, and find that the prospective parolee is no longer a danger to society with supporting reasons before a parole may be granted.

The bill would further require that hearings for the review of applications for parole of prisoners for specified crimes be held before a panel of the Community Release Board with a quorum of five members.

This bill would provide for the application of its provisions relating to sentencing and parole to persons sentenced prior to the effective date of the provisions so long as no greater punishment was imposed. Existing parole eligibility would be continued as to such persons where it would provide for earlier parole eligibility than that provided under the bill.

This bill would not generally affect the provisions for the sentencing of persons under any initiative, or to the death penalty, life imprisonment or to certain periods of imprisonment without the possibility of parole upon the commission of certain crimes, but would revise certain of such provisions relating to the imposition of life imprisonment, and would place all of such persons who are subject to being paroled under the jurisdiction of the Community Release Board for parole purposes and would permit discharge after 2- or 5-year periods of parole or earlier upon satisfactory completion of parole; provided that the inmate would not be in custody of board longer than he would have been under existing law. This bill would also permit eligibility for parole under existing law and would make various provisions for parole release dates and review of parole status.

This bill also makes various other provisions relative to minimum sentences, consecutive sentences, aggregate sentences, additional or enhanced sentences, and sentences imposed on parole revocation.

The provisions of the bill would become operative July 1, 1977.

Ch. 1140 (SB 1582) Presley. Weapons.

Existing law makes possession of a cane gun a misdemeanor, and makes possession, sale, gift, manufacture or importation of other specified weapons an alternative felony-misdemeanor, but does not prohibit expressly or absolutely the possession of any wallet gun or any firearm not recognizable as such, and does not prohibit possession of flechette darts.

This bill would include cane guns, wallet guns, all firearms not immediately recognizable as such, (except antique firearms, as defined), and flechette darts, within such category of alternative felony-misdemeanor weapons.

This bill would state the intention of the Legislature that the words "any firearm which is not immediately recognizable as a firearm" as used in a specified provision shall not be interpreted to include a weapon capable of inflicting an electrical charge as specified and other weapons.

Under existing law, for purposes of prohibiting sawed-off shotguns, such shotguns are defined as rifles or shotguns, or weapons made from rifles or shotguns, with a barrel or barrels of a specified length.

This bill would revise such definition, in part, to apply to any firearm (including any revolver) with a specified barrel length manufactured, designed or converted to fire shotgun ammunition and retain the definition as to rifles and weapons made from rifles and shotguns.

This bill would provide that there shall be no reimbursement nor appropriation made by this bill for a specified reason.

This bill also makes additional changes proposed by SB 42, to be operative only if SB 42 and this bill are both chaptered and become effective on January 1, 1977, and this bill is chaptered after SB 42.

Ch. 1141 (AB 746) Cline. Southern California Rapid Transit District: highway closing.

Under existing law, the Southern California Rapid Transit District may close, if necessary, any city street or county highway temporarily during the construction of district facilities without having to enter into an agreement regarding such closing with the city or county, as the case may be, having jurisdiction over the street or highway.

This bill would require the district to obtain a temporary street or highway closing permit prior to such closing of a city street or county highway.

Ch. 1142 (AB 1159) Leroy F. Greene. Horseracing.

Existing law provides, with respect to racing other than thoroughbred racing, that every association which conducts a meeting shall distribute on all money not in excess of \$20,000,000 handled in its parimutuel pools for such racing license fees, purses, and

commissions according to a specified schedule.

This bill would provide that every association which conducts a racing meeting at which the average daily handle is \$400,000 or less shall pay a specified cumulative daily license fee.

Ch. 1143 (AB 2560) Chappie Formation of counties.

Existing law provides that a proposed county cannot be created if the area of any affected county will be reduced to less than 1,200 square miles.

This bill would provide that a new county may be created from territory to be transferred from Nevada County, if such transferred territory does not exceed 25% of the total territory of such county

Ch. 1144 (AB 2956) Carpenter. Joint powers agency employees: group insurance

Existing law permits providing various health and welfare benefits for local agency officers and employees through group insurance.

This bill would permit employees of a joint exercise of powers agency or entity to be included in such provisions where the county is a party to the joint powers agreement and the board of supervisors and the governing body of the joint powers agency or entity approve.

Ch. 1145 (AB 3099) Deddeh. Insurance: automobiles.

The existing law requires that specified types of insurance policies contain specified provisions in order to be issued or delivered in this state

This bill would exempt insurance policies issued or delivered in this state by a nonadmitted Mexican insurer solely for use in Mexico from the requirement of containing certain of such specified provisions. It would also exempt from certain other required provisions those insurance policies which provide insurance in the Republic of Mexico issued or delivered in this state by a nonadmitted Mexican insurer, and would specify that no provision of the Vehicle Code shall apply to such policies.

This bill incorporates additional changes in Section 11580 of the Insurance Code, proposed by AB 3525, to be effective only if AB 3525 and this bill are both chaptered and become effective and this bill is chaptered last.

Ch. 1146 (AB 3241) Perino. Elections: ballots.

(1) Effective January 1, 1977, the law provides that if the number of offices and measures to be voted upon at an election cannot be accommodated on one ballot card, the clerk may, at his discretion, place part of the ballot upon more than one ballot card or he may place part of the ballot upon the ballot card and the remainder upon paper

This bill would add a proviso that a single ballot measure or the candidates for a single office may not be so split.

(2) Effective January 1, 1977, the law provides that the governing board of a city or county may adopt for use at elections any kind or combination of voting system approved by the State Commission on Voting Machines and Vote Tabulating Devices or the use of which has been specifically authorized by law. The voting system may be used at any or all elections held in any county, city, or any of their political subdivisions for voting, registering and counting votes cast. When more than one voting system is used to cast ballots the names of candidates shall, insofar as possible, be placed upon the primary voting system.

This bill would revise such provisions to provide that the governing board of a city or county may adopt for use at elections any kind of voting system or any combination of voting systems or any combination of a voting system and paper ballots provided that the use of the voting system or systems involved has been approved by the commission or specifically authorized by law. The voting system or systems may be used at any or all elections held in any county, city, or any of their political subdivisions for voting, registering, and counting votes cast. When more than one voting system is used to count ballots, the names of candidates shall, insofar as possible, be placed upon the primary voting system. When more than one voting system or a combination of a voting system and paper ballots is used to count ballots, a single ballot measure or the candidates for a single office may not be split between voting systems or between a voting system and paper ballots

Ch. 1147 (AB 3282) Alatorre. Cosmetology

Existing law provides that a license issued pursuant to the Cosmetology Act may be renewed by paying a delinquency fee any time within 5 years of the renewal date. The law does not provide for an inactive license status for such licenses

This bill would require the Board of Cosmetology to adopt regulations providing for an inactive license status for such licenses commencing with the 1978 license renewal period

Existing law prescribes the maximum fees required by the Cosmetology Act which shall be set by the Board of Cosmetology.

This bill would increase the maximum amounts of certain such fees.

The bill would make additional changes in Section 7442, Business and Professions Code, proposed by AB 2386 to be operative only if AB 2386 and this bill are both chaptered, and this bill is chaptered after AB 2386.

Ch 1148 (AB 3300) Chappie. Horseracing.

Existing law provides for the distribution of breakage from parimutuel pools, as defined

This bill would exempt harness racing from the above provisions, from January 1, 1977, until December 31, 1986, and instead would provide that all breakage deducted by an association licensed to conduct harness racing shall be used to fund the California Standardbred Sires Stakes Program and purses provided for in this bill. From January 1, 1987, and thereafter one-half of the breakage would continue to be so used and the other one-half would be distributed as purses as specified.

Existing law provides that racing associations distribute, in varying amounts, 15.75% of the money handled in its parimutuel pools as license fees, purses and commissions.

This bill would provide that with respect to harness racing an additional 1.00% of the parimutuel pool shall be retained and distributed equally between license fees, purses and commissions from January 1, 1977, until December 31, 1986. From January 1, 1987, and thereafter, the additional retention from harness racing parimutuel pools would be decreased to 0.5% and would be distributed equally between license fees, purses, and commissions

This bill would also provide for the establishment of the California Standardbred Sires Stakes Program. It would create the Standardbred Sires Stakes Committee. It would create the California Standardbred Sires Stakes Fund in the General Fund, into which a predetermined portion of the breakage from harness racing would be deposited, and out of which awards and purses for standardbred horses will be made.

Ch. 1149 (AB 3312) Bannai. Mortgages and deeds of trust.

Existing law requires a trustee, mortgagee, or other person entitled to record a notice of default to send copies of the notice to persons who have filed a request for such notice.

This bill would require, on or after July 1, 1977, that a trustee, mortgagee, or other person entitled to record a notice of default, send copies of the notice, in addition to those persons who have requested notice of default, to the successor in interest, as of the recording date of the notice of default, of the estate or interest or any portion thereof of the trustor or mortgagor of the deed of trust or mortgage being foreclosed, to the beneficiary or mortgagee of any deed of trust or mortgage recorded subsequent to the deed of trust or mortgage being foreclosed, or recorded prior to or concurrently with such deed of trust or mortgage being foreclosed but subject to a recorded agreement or a recorded statement of subordination to such deed of trust or mortgage being foreclosed, to the assignee of any interest of any such beneficiary or mortgagee, as of the recording date of the notice of default; to the vendee of any contract of sale, or the lessee of any lease, of the estate or interest being foreclosed which is recorded subsequent to the deed of trust or mortgage being foreclosed, or recorded prior to or concurrently with such deed of trust or mortgage being foreclosed but subject to a recorded agreement or statement of subordination to such deed of trust or mortgage being foreclosed, and to the successor in interest to any such vendee or lessee, as of the recording date of the notice of default provided that the estate or interest of any person entitled to receive such notice is acquired by an instrument sufficient to impart constructive notice of such estate or interest in the land or portion thereof which is subject to the deed of trust or mortgage being foreclosed; provided that such instrument is recorded in the office of

the county recorder so as to impart such constructive notice prior to the recording date of the notice of default; provided that such instrument as so recorded sets forth a mailing address which the county recorder shall use, as instructed within the instrument, for the return of such instrument after recording, and which address shall be the address used for the purposes of mailing such notices; and provided that such mailing of notices shall not impose upon any licensed attorney, agent, or employee of any person entitled to receive such notices any duty to communicate such notice to such entitled person from the fact that the mailing address used by the county recorder is the address of such attorney, agent, or employee.

Ch. 1150 (AB 3351) Lewis. Investigative consumer reporting.

Existing law defines the term "person," for purposes of the Investigative Consumer Reporting Agencies Act, to mean any individual, partnership, corporation, trust, estate, cooperative, association, government, or governmental subdivision or agency, or other entity.

This bill would expressly provide that the term "person" as used in this bill shall not be construed to require duplicative reporting by any of the above-described entities involved in the same transaction.

Existing law defines the term "investigative consumer reporting agent" for purposes of the Investigative Consumer Reporting Agencies Act generally as any person who, for a fee, regularly assembles or evaluates employment or insurance information for the purpose of furnishing reports to third parties.

This bill would expressly exclude from such definition any licensed insurance agency, insurance broker or solicitor, insurer, or life insurance agent.

Existing law defines the term "medical information" for purposes of the Investigative Consumer Reporting Agencies Act to include, among other information, information on a person's medical history or condition which is obtained directly from such person or another person related to such person and acting on his behalf by an application, or questionnaire, or by a similar means.

This bill would delete such information from the definition.

Existing law authorizes an investigative consumer reporting agency to furnish an investigative consumer report only under specified circumstances, including furnishing a report to a person the agency has reason to believe intends to use the information for an insurance claims settlement.

This bill would delete such authorization.

Existing law prohibits any person, as defined, from procuring, or causing to be prepared, an investigative consumer report, in connection with the underwriting of insurance, unless there is disclosed on the application form, binder, or similar document which is signed by the consumer, the fact that an investigative consumer report may be made.

This bill would permit, instead, such disclosure to be made in writing, in any manner which is clear and accurate, at the time the application form, medical form, binder, or similar document is signed by the consumer. The bill would prohibit specified persons from processing, or causing to be prepared, such reports unless specified conditions are met.

Existing law exempts an employer from specified notification requirements when seeking a consumer report of an employee where the purpose of receiving such report is to determine if the employee is engaged in specified criminal activity.

This bill would add that such employer exemption shall apply if the purpose of the employer is to determine whether or not to retain the employee.

Under existing law, whenever insurance is denied, or the insurance premiums are increased because of information obtained from a person other than an investigative consumer reporting agency which bears on the consumer's reputation, characteristics or mode of living, the user must disclose the nature and substance of the information to the consumer.

This bill, in addition, would delete the disclosure requirement where the information is obtained from the consumer or another person related to the consumer and acting on the consumer's behalf.

Ch. 1151 (AB 3547) Burke. Escheated property: payment of interest.

Existing law requires the State Controller to deduct from the amount of any claim made to escheated property, including money, 1% of the total amount, but in no event less than \$10.

This bill would delete the above provision, and would require the State Controller to add to the amount of any claim paid to the owner, as defined, involving property which was interest-bearing to the owner while in the possession of the holder, 5% interest or such lesser rate of interest as the property earned while in the possession of the holder, compounded annually.

It would also require any holder to pay 5% or such specified lesser rate of interest on such property which has escheated to the state and which, if claimed from the state, would be subject to payment of interest by the Controller. The holder would be entitled to reimbursement of the 5% or such specified lesser rate of interest from the State Controller as provided in the above paragraph.

This bill would also appropriate \$4,500 to the State Controller for purposes of this act.

Ch 1152 (AB 3575) Robinson. Insurance: return premiums

(1) Existing law specifies that, unless the insurance contract provides otherwise, an insured is entitled to a return of the whole premium if the policy is canceled or rescinded if no part of his interest in the thing insured is exposed to any of the perils insured against

This bill would provide, instead, that the insured is entitled to the whole premium upon cancellation, rejection, surrender, or rescission of a policy if the insurer has not been exposed to any of the perils insured against

(2) Existing law prohibits individual motor vehicle liability or homeowners' multiple-peril insurance policies from containing a provision which mandates that the premium for such policy shall be fully earned upon the happening of any contingency except the expiration of the policy itself.

This bill would exempt policy fees and membership fees from such prohibition.

(3) Existing law does not specify the duration of or the time of termination of temporary coverages.

This bill would provide that, except for life, title insurance, and disability insurance, as defined, when a conditional receipt, binder, policy, or other evidence of temporary or implied insurance is issued, it shall remain in force for a period of 30 days from the date of issuance unless it is sooner canceled, rejected or surrendered by the insurer, in which case such coverage shall terminate after 10 days' written notice to the insured

(4) Existing law states that certain provisions of the state law do not apply to title insurers.

This bill would make the provision concerning the return of premiums upon cancellation or rescission which this bill amends inapplicable to title insurance, and would also delete obsolete cross-references.

Ch 1153 (AB 3743) Egeland. Healing arts.

Existing law requires an applicant for a certificate to practice medicine whose application is based on a diploma issued by a foreign medical school, except a Canadian school, to furnish evidence to the Board of Medical Quality Assurance that he possesses specified requirements, including completion of a course of professional instruction equivalent to that required of other applicants, being admitted or licensed to practice medicine and surgery in the country where he obtained his instruction, having served specified service in a hospital and has passed a written examination, as specified.

This bill would allow an applicant whose medical education was acquired in a foreign country or in the United States and who has been licensed in a foreign country or other state of the United States and whose license requirements and medical education are evaluated and deemed satisfactory to the board, to take and pass only that portion of the written examination relating to clinical competence and clinical science. The bill would require such applicant to pass an oral and comprehensive clinical examination

This bill would become operative on July 1, 1978

Ch. 1154 (AB 3752) Knox. Fees: Commissioner of Corporations.

(1) Existing law sets forth fixed and maximum amounts of fees which must be paid to the Commissioner of Corporations for purposes of applying for licenses and privileges under the Corporate Securities Law.

This bill would increase certain fixed and maximum amounts of fees which are currently set forth under the law. It would also require, within 30 days of the opening of a new branch office, a licensed broker-dealer, to pay the commissioner a fee of \$100, if the branch is opened in an even-numbered year and \$50 if the branch is opened in an odd-numbered year. In addition, the bill would require, under the Corporate Securities Law, a fee of \$10 for filing an agent change of employment notification.

(2) Existing law sets forth fixed and maximum amounts of fees which must be paid to the Commissioner of Corporations for purposes of applying for licenses and privileges under the California Commodity Law, Franchise Investment Law, Check Sellers and Cashers Law, and the Escrow Law.

This bill would increase certain fixed and maximum amounts of fees which are currently set forth under the above laws.

(3) Under existing law, each industrial loan company operating under the Industrial Loan Law is required to pay the Commissioner of Corporations in advance its pro rata share of all costs and expenses reasonably incurred in the administration under the Industrial Loan Law, as estimated by the commissioner for the ensuing year.

This bill would delete the requirement that the above payment be made in advance, but would require the payment of any deficit actually incurred or anticipated in the administration of such law in the year in which such assessment is made.

This bill also incorporates changes proposed by Senate Bill No 1793, to be effective only if both bills are chaptered.

Ch. 1155 (AB 3684) Keyser. Elections, dates for holding.

Existing law specifies the dates for holding, and the requirements for calling, statewide and local general, primary, and special elections.

This bill would revise the law relative to the dates for holding, and the requirements for calling, statewide and local general, primary, and special elections. The bill would also incorporate further changes in the law proposed by AB 3100 to become operative only if AB 3100 is enacted.

Ch. 1156 (AB 4177) Keene. Aeronautics.

Under existing law state funds are allocated to public entities and the University of California for airport and aviation purposes on a 50% matching basis.

This bill would revise the matching provision for public entities to be a sum from nonstate or nonfederal funds based on the rate established annually by the State Aeronautics Board of at least 10% and not exceeding 50% of the nonfederal portion, such rate to be uniform for all entities and projects within a particular year, and in no event less than 10% of the total eligible project costs; and for the University of California, based on the rate established by the board, as previously specified.

Ch. 1157 (AB 4256) Lewis. License renewals.

Existing law provides, generally, that licenses issued by various state agencies expire on specific dates as specified in each particular provision of law regulating such agencies.

This bill would require each state agency to establish such license periods and renewal dates for all licenses issued by such agency in a manner as best to distribute the renewal work of all agencies and permit the most efficient and economical use of personnel and equipment.

The bill would require each agency to report to the Legislature on or before January 1, 1978, on the system of license periods and renewal dates being utilized by such agency.

Ch. 1158 (AB 4274) Lanterman. Crimes: developmentally disabled dependents.

Existing law provides certain procedures for the suspension of the criminal proceedings against mentally retarded persons. This bill would make such provisions apply to developmentally disabled rather than mentally retarded persons, and would make related changes.

Ch 1159 (AB 4297) Rosenthal Health statutes

(1) This bill would repeal and reenact in a different location in the Health and Safety Code, provisions relating to child health disability prevention programs, so as to eliminate a conflict in the numbering of code sections

(2) This bill would correct an erroneous section reference in provisions prohibiting the establishment, conduct, or maintenance of prescribed referral agencies without a license issued by the State Department of Health or by a local inspection service approved by the Director of Health

(3) Present law prohibits any person from engaging in the business of a frozen food locker plant without having applied for or obtained a license from the Director of Health.

This bill would restrict lawful operation of frozen food locker plants to persons who have obtained such a license, rather than persons who have applied for or obtained such a license

Ch 1160 (AB 4513) Mobley. Commercial fishing: conforming to federal regulations.

Under existing law, there is no provision of law which specifically authorizes the Director of Fish and Game to adopt regulations to conform any provision of state law, including statute or regulation, governing the taking of fish for commercial purposes, to the requirements of the Federal Fishery Conservation and Management Act of 1976 (16 U.S.C 1801 et seq.).

The bill would specifically provide authority for the director to adopt any regulation, as specified, to conform any provision of state law, including any statute or regulation of the Fish and Game Commission, to the requirements of such a federal fishery management plan to avoid any substantial and adverse effect by state law on such plan. The bill would provide that any such regulation is to be in effect not longer than 180 days

Ch 1161 (SB 1356) Rans Political Reform Act of 1974.

(1) Under existing law, the various exceptions to the definition of "income" for purposes of the Political Reform Act of 1974 do not include an exception relating to income received outside the jurisdiction, as defined in the act, of a person subject to filing disclosure statements.

This bill would make an exception to the definition of "income" under the Political Reform Act of 1974 with regard to income received from any source outside the jurisdiction and not doing business within the jurisdiction, not planning to do business within the jurisdiction, or not having done business within the jurisdiction at any time during the two years prior to the time any statement or other action is required under such act

(2) The Political Reform Act of 1974 requires specified public officers to file financial disclosure statements within 30 days after each anniversary of assuming office.

This bill would require instead such filing to be each year at a time specified by regulations of the Fair Political Practices Commission. The bill would further provide that for purposes of such disclosure "interest in real property" would not include the principal residence of the filer. The bill would further provide that except in statements required to be filed on anniversaries of assumption of office under the Political Reform Act of 1974, investments and interests in real property which have been disclosed on a statement of economic interests filed in the same jurisdiction within the previous 60 days may be incorporated by reference for purposes of disclosure

(3) Under existing law, there is no requirement that for purposes of the Political Reform Act of 1974, the following be taken into consideration in applying the remedies and sanctions of such act: whether or not a violation is inadvertent, negligent or deliberate, and the presence or absence of good faith.

This bill would enact such a requirement

(4) Finally, this bill would declare that its provisions further the purposes of the Political Reform Act of 1974.

(5) This bill incorporates additional changes in Section 91001 of the Government Code, proposed by SB 1401, to be effective only if this bill and SB 1401 are both chaptered and become effective January 1, 1977, and this bill is chaptered last

Ch. 1162 (SB 1523) Holden Community redevelopment: tax-increment financing

(1) The Community Redevelopment Law authorizes redevelopment plans to contain provisions authorizing financing of redevelopment by allocation to the redevelopment agency of a portion of the property tax revenues produced by property within the redevelopment project area. The portion of tax revenues so allocated is derived from increases in assessed valuation of property in the project area occurring after adoption of the final redevelopment plan, and this method of financing redevelopment is known as "tax-increment financing."

This bill, with regard to redevelopment projects for which a final redevelopment plan is adopted on or after January 1, 1977, would require redevelopment agencies to reimburse affected taxing agencies so electing in the manner prescribed by the bill, for amounts allocated to the redevelopment agency under tax-increment financing which are attributable to increases in the tax rates within the project area occurring after the tax year in which the ordinance adopting the redevelopment plan becomes effective

(2) Under present law, redevelopment agencies are required to notify affected taxing agencies of proposed tax-increment financing prior to transmitting a redevelopment plan for final adoption to the governing body of the community

This bill would delete such requirement] *

~~(2)~~ [(3)] * This bill would provide that there shall be no reimbursement or appropriation for costs incurred by local agencies pursuant to the bill for a specified reason

Ch 1163 (SB 1655) Marks Voting Rights Act of 1965

The Federal Voting Rights Act of 1965, as amended by Public Law 94-73, requires certain counties to furnish election services in other than the English language.

This bill would appropriate \$300,000 to such counties for purposes of financially assisting them in complying with such federal act.

The bill would also appropriate \$50,000 to the Secretary of State for purposes of assisting counties in providing voter assistance in designated precincts and for making a report to the Legislature. It would require the Secretary of State to submit a report concerning the operation of this act to the Legislature by January 15, 1977.

The bill would take effect immediately as an urgency statute

Ch 1164 (SB 1790) Deukmejian Marriage: employee benefit plan.

Existing law specifies that whenever payment or refund is made to an employee, former employee or his beneficiary or estate pursuant to a written retirement, death or other employee benefit plan or savings plan, such payment or refund shall fully discharge the employer and any trustee or insurance company making such payment or refund from all adverse claims thereto unless, before such payment or refund is made, the employer or former employer [, where the payment is made by the employer or former employer,] * has received at its principal place of business within this state, written notice by or on behalf of some other person that such other person claims to be entitled to such payment or refund or some part thereof or where a trustee or insurance company is making the payment, such notice has been delivered by the employer to the home office of such trustee or such insurance company or has otherwise been received thereby.

This bill would [: make existing law applicable only to such plans which are not governed by the federal Employee Retirement Income Security Act of 1974 and require that the notice therefor of such adverse claims be served on the employer or former employer:] require [, for written employee benefit plans governed by such federal act,] * that the notice of such adverse claims be served on the plan administrator and conform various definitions to federal law relating to the Employee Retirement Income Security Act of 1974.

Ch. 1165 (SB 1798) Ayala. Regional water quality control boards

(1) Existing law provides that California regional water quality control board members shall be reimbursed for their actual expenses incurred while on official business of the board.

This bill would require that each such member be compensated \$50 per day, up to \$600 per fiscal year, in addition to his necessary travel and other expenses incurred in the performance of official duties, but would prohibit such \$50 compensation if the member otherwise receives compensation from other sources for performing such duties

The bill would also provide that such compensation may be declined.

(2) Existing law authorizes such regional boards to exercise various administrative enforcement powers and remedies, including the issuance of cease-and-desist orders against persons not complying with waste discharge requirements.

This bill would require a majority vote of the entire membership of a regional board to adopt, rescind, or modify such a cease-and-desist order.

Ch. 1166 (SB 1824) Presley Reciprocal enforcement of support

California has adopted, under existing law, the Revised Uniform Reciprocal Enforcement of Support Act of 1968.

Existing law contains definitions of various terms used in the act. This bill would add definitions of "register," "registering court," and "rendering state."

~~Under existing law, the prosecuting attorney is required to take all action necessary in accordance with state laws to enable the court to obtain jurisdiction. This bill would delete such provisions and would provide, instead, that the prosecuting attorney either to request the court to issue an order to show cause or to request issuance of a summons.*~~

[Under existing law, the prosecuting attorney is required, among other things, to request the court to set a time and place for a hearing and give notice thereof to the obligor. This bill would provide, instead, that upon being notified that the cause has been docketed, the prosecuting attorney shall (1) request the court to require the obligor to show cause or (2) request the issuance of a summons.] *

Under existing law, the mandatory duty of the prosecuting official is limited to the enforcement of certain support and arrearages and he may in his discretion enforce any other arrearages. This bill would delete such provision

This bill would also make clarifying changes.

Ch. 1167 (SB 1825) Presley. Reciprocal enforcement of support.

The existing Revised Uniform Enforcement of Support Act of 1968 requires the prosecuting attorney, at the request of the court, to represent the obligee.

This bill would provide for such representation also at the request of the obligee.

The existing Revised Uniform Reciprocal Enforcement of Support Act of 1968 requires the responding court to cause a copy of all support orders to be sent to the initiating court.

This bill would add to such a provision, a requirement that the responding court cause a copy of all support orders to be sent to the obligor.

This bill would also provide that there shall be no allocation and disbursement to local agencies for costs incurred by them pursuant to the act for specified reasons

Ch. 1168 (SB 1877) Marks. Subpoenas, motions to quash.

Existing statutory law makes no provision for a motion to quash or modify a subpoena; however, the practice has been approved by decisional law, but without specific guidelines as to basis for the granting or denial of such a motion.

Existing law does provide a procedure by which the court, upon noticed motion of requesting party and a showing of good cause and materiality, may order the production of items requested, unless the party of whom the request for production of items is made establishes good cause for nonproduction or production under limitations or conditions.

This bill would make specific provision for a court order to quash, modify, or limit a subpoena of a witness for the production of items before a court.

This bill would permit a court to award the amount of reasonable expenses incurred, including attorney's fees, in making or opposing such a motion where the court finds the motion was made or opposed in bad faith or without substantial justification or that one or more of the requirements of the subpoena was oppressive.

Ch. 1169 (SB 848) Rains Unemployment: sex discrimination

Existing law provides that, with certain exceptions, an individual is disqualified for receipt of unemployment compensation insurance benefits if the individual has left his or her employment to accompany his or her spouse to, or to join her or him at, a place from which it is impractical to commute to such employment.

This bill would repeal such disqualification provisions

Existing law specifies that to the maximum extent possible, the Department of Employment Development shall conform to the priorities established by federal law in assigning persons to work incentive programs.

This bill would, instead, specify that to the extent permitted by federal law, the department shall not establish any priorities in assigning persons to work incentive programs that discriminate on the basis of sex.

This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred pursuant to this bill.

Ch. 1170 (SB 1962) Presley. Crimes.

Under existing law the crime of spousal nonsupport may be committed only by a male. This bill would provide for the commission thereof by females, and would make related changes.

This bill also provides that, notwithstanding Sec. 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by this act for a specified reason

Ch. 1171 (SB 2060) Mills. Discrimination. sex. marital status.

The present statutory provisions of the codes of this state frequently use words of a masculine gender which apply to both men and women.

This bill would amend various provisions of the Business and Professions, Civil, Corporations, Education, Food and Agricultural, Insurance, Labor, Penal, Public Resources, Public Utilities, Revenue and Taxation, Vehicle, and Welfare and Institutions Codes to replace terms in the masculine gender with words which draw no distinctions between men and women, to include terms in the feminine gender where only terms of the masculine gender appear, to delete certain provisions of law relating only to women, or to otherwise revise provisions containing distinctions between men and women.

This bill would declare the legislative intent that, in specified codes, the terms "man" or "men" where appropriate be deemed "person" or "persons."

This bill would also direct that forms and materials used by any public agency, insurer, or person which incorporates the terms "man" or "men" be modified to substitute the terms "person" or "persons" after the present supply of such forms and materials is exhausted.

This bill would incorporate additional changes in the provisions of law relating to residency of electors proposed by AB 2606 and SB 1653, to be operative only if either bill, or both, and this bill are chaptered and this bill is chaptered last.

Ch. 1172 (SB 1653) Marks. Elections: domicile requirements.

Existing law contains provisions setting forth criteria to determine the residence of a person by precinct boards for purposes of voting.

This bill would substantially revise such existing provisions of law, and, instead of using the term "residence" for determining voter eligibility requirements, would use the term "domicile," as defined. It would also create various rebuttable presumptions for purposes of determining a person's domicile. These revisions would be made in one form if this bill is chaptered, but AB 2606 is not chaptered, and in another, similar, form if both this bill and AB 2606 are chaptered.

Ch. 1173 (AB 1536) Siegler. Insurance: coverage of spouses.

Existing law regulates various aspects of disability insurance and its coverages, including coverage of dependents, but does not contain provisions of the kind proposed by this bill.

This bill would require group health care service plans, group disability insurance policies, and nonprofit group hospital service plans which provide coverage to employees and their dependent spouses and provide for an extension of coverage following termination of employment or membership of the employees or members, to provide conversion rights without physical examination or statement of health to a covered spouse who has ceased to be dependent upon the employee by reason of termination of marriage or death of the employee or member.

Ch. 1174 (AB 3365) Rosenthal. Labor: discrimination.

Existing law specifies that no discrimination shall be made in the employment of persons upon public works because of the race, color, national origin, ancestry, or religion of such persons.

This bill would also prohibit such discrimination because of the sex, marital status, physical handicap, or medical condition of such persons.

Existing law prohibits a public utility from granting any preference or advantage to any corporation or person, or subjecting them to any prejudice or disadvantage.

This bill would, additionally, specify that no public utility shall prejudice, disadvantage, or require different rates or deposit amounts from a person because of color, race, ancestry, national origin, religion, occupation, sex, physical handicap, medical condition, marital status or a change in marital status. A person who has exhausted all administrative remedies with the commission may institute a suit for injunctive relief and reasonable attorney's fees in cases of an alleged violation of this subdivision.

This bill would provide that there shall be no reimbursement nor appropriation for any local agency for any costs incurred by it pursuant to this bill for specified reasons.

This bill would incorporate additional changes in Section 453 of the Public Utilities Code, proposed by Assembly Bill No. 497 and by Senate Bill No. 1683, to be effective only if Assembly Bill No. 497 or Senate Bill No. 1683, and this bill are both chaptered and become effective on or before January 1, 1977, and this bill is chaptered last.

Ch. 1175 (AB 3380) Goggin. Labor: apprenticeship.

Existing law does not expressly require school districts maintaining high schools, community college districts, or apprenticeship program sponsors, to provide students with information as to the availability of apprenticeship programs.

This bill would expressly require that, in compliance with the affirmative action requirements of California's plan for equal opportunity in apprenticeship, such agencies shall provide students with information as to the availability of apprenticeship programs.

This bill would also provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the act.

Ch. 1176 (AB 3595) Mori. Schools: counseling.

Under existing law, no school counselor shall, on the basis of the sex of a pupil, offer vocational or school program guidance to pupils of one sex which is different from that offered to pupils of the opposite sex.

This bill would also preclude such different counseling on the part of teachers, administrators, and aides.

This bill would require school personnel acting in a career counseling or course selection capacity to any pupil to affirmatively explore with such pupil the possibility of careers or courses leading to such careers which are nontraditional for that pupil's sex.

This bill would also require the parents or legal guardian of the pupil to be notified in advance of career counseling and course selection commencing with course selection for the seventh grade.

This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill for a specified reason.

Ch. 1177 (AB 3599) Mori. Labor: women's protective laws.

Existing law contains statutory provisions imposing certain weight-lifting and seating requirements on employers of female employees. Such provisions have been declared unconstitutional and are not currently being enforced.

This bill would repeal such statutory provisions.

Ch. 1178 (AB 3604) Goggin. Preliminary examinations.

Under existing law, in a preliminary examination the magistrate may exclude all witnesses not yet examined.

This bill would provide that the magistrate may so exclude all potential and actual witnesses.

Under existing law, a magistrate must, upon the request of the defendant, exclude all but specified persons from a preliminary examination, except that when the prosecuting witness is a female she shall be entitled at all times to the attendance of a person of her own sex.

This bill would provide instead that a male or female prosecuting witness may, in the discretion of the court be entitled to the attendance of one person of his or her own choosing otherwise not a witness. The person so chosen shall not discuss prior to or during the hearing the testimony of the prosecuting witness with any other witness except the prosecuting witness.

Ch. 1179 (AB 3676) Berman. Apprenticeship.

(1) The existing law specifies the duties of the Administrator of Apprenticeship, or his duly authorized representative.

This bill would, in addition, permit the administrator or his duly authorized representative to enter joint agreements with the Employment Development Department's outreach education and employment programs, and educational institutions on the operation of apprenticeship information centers.

(2) The existing law provides for the selection of local or state joint apprenticeship committees in any trade when justified by apprentice training needs of such trade, and specifies the functions of such committees.

This bill would also require all selection and disciplinary proceedings for apprentices or prospective apprentices to be duly noticed to such individuals and would require the Division of Apprenticeship Standards to audit all such proceedings.

(3) The existing law prohibits an apprenticeship training program from providing a maximum age for apprentices of less than 31 years at time of entry into the training program.

This bill would prohibit an apprenticeship training program from providing a maximum age for apprentices.

(4) The existing law requires the Division of Apprenticeship Standards, under certain conditions, to grant a certificate exempting a contractor from the ratio of one apprentice for each five journeymen on public work projects.

This bill would, instead, permit the division to grant such a certificate.

(5) Existing law makes it unlawful for an employer or a labor union to refuse to accept otherwise qualified employees or apprentices on any public works, solely on the ground of the race, religious creed, color, national origin, ancestry, or sex of such employee.

This bill would also make it unlawful for an employer or a labor union to refuse to accept otherwise qualified employees that are at least 16 years of age as apprentices on any public works, on the ground of age.

(6) This bill would declare it to be the state's public policy to encourage the utilization of apprenticeship as a form of on-the-job training, require state and local public agencies to make a diligent effort to establish apprenticeship programs for minorities and women in apprenticeable occupations, and require public sector apprenticeship programs to be fully compatible with affirmative action goals for women and minorities.

(7) This bill would also place an affirmative duty on joint apprenticeship committees to ensure equal employment and affirmative action in apprenticeship for women and minorities, require joint apprenticeship committees to arrange for the dispatch of apprentices to contractors to comply with designated requirements, require the joint apprenticeship committees to implement affirmative action programs, require the California Apprenticeship Council to issue regulations for affirmative action programs which include women and minorities in apprenticeship, and require the Administrator of Apprenticeship to coordinate the exchange of information of women and minorities available as apprentices.

(8) Existing law authorizes the governing boards of school districts to provide in each school of the district an organized and functioning counseling program, including career counseling.

This bill would require career counseling, if provided, to include encouraging students, including women and minorities, to seek apprenticeship training.

(9) Existing law permits the Department of Education and the Board of Governors of the California Community Colleges to provide related and supplemental instruction to isolated apprentices, as defined

This bill would require the Superintendent of Public Instruction and the Chancellor of the California Community Colleges to recognize registration in an apprenticeship program approved by the Division of Apprenticeship Standards in the Department of Industrial Relations as an acceptable prerequisite to enrollment into such related and supplemental instruction.

(10) This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to this bill.

(11) This bill would take effect immediately as an urgency statute.

(12) This bill would incorporate additional changes in Section 1777.5 of the Labor

Code, proposed by Assembly Bill No. 2466, to be effective only if Assembly Bill No. 2466 and this bill are both chaptered and become effective on or before January 1, 1977, and this bill is chaptered last.

Ch. 1180 (AB 3736) Joint Committee on Aging. State employees: application forms.

Under existing law, it is unlawful to require, permit, or suffer any notation or entry to be made upon or in any application, examination paper, or other paper, books, document, or record used in connection with the state civil service system, and indicating or in any way suggesting or pertaining to the race, color, or religion of any person.

This bill would additionally prohibit the notation or entry on any civil service application form for examination of the date of birth of an applicant, unless the class for which the examination is being given has established minimum or maximum age limitations as specified on the examination announcement, and would prohibit the entry or notation of dates of completion of high school and G.E.D. high school tests, and dates of completion of certificates of professional or vocational competence, licenses, or memberships in professional associations. The state would be permitted to use up existing forms, but would be required to print new forms pursuant to such provisions no later than June 1, 1977. In addition, the state would be authorized to request such information subsequent to a bona fide offer of employment in order to verify its veracity.

Ch. 1181 (AB 3830) Chel. Crimes.

Existing law exempts married women acting under spousal threat, command or coercion from culpability for nonfelony crimes. This bill would delete such exemption.

Under existing law, infants and married women may be required to post bail for their appearance as material witnesses in criminal cases. This bill would delete married women from such provisions.

This bill also provides that there shall be no reimbursement pursuant to the bill nor appropriation made by this bill for a specified reason.

Ch. 1182 (AB 3881) Fazio. Unemployment disability compensation

(1) Existing law requires each worker to pay worker contributions for unemployment compensation disability insurance at the rate of 1% of wages on the first \$9,000 paid by an employer.

This bill instead requires each worker to pay worker contributions at the rate of 1% of wages on the first \$11,400 paid by an employer.

(2) Existing law provides for unemployment compensation disability benefits for pregnancy only on a doctor's certification that the claimant is disabled because of an abnormal and involuntary complication of pregnancy, or that a condition possibly arising out of pregnancy would disable the claimant without regard to the pregnancy.

This bill would, in addition, provide for payment of benefits for 3 weeks immediately prior to the expected birth, and for 3 weeks immediately after termination of a normal pregnancy, as defined, upon a doctor's certification that the claimant is disabled because of normal pregnancy.

Ch. 1183 (AB 3844) Knox. Courts: judges' salaries.

Existing law prescribes the salaries of the justices and judges of the Supreme Court, courts of appeal, superior courts and municipal courts. It provides for an annual cost-of-living salary increase on September 1.

This bill would freeze the salaries of such justices and judges on January 1, 1977, for 18 months. On July 1, 1978, and on July 1 of each year thereafter, the salaries would be increased to match the increase in the cost of living during the previous calendar year, but such increase could not exceed 5%.

Ch. 1184 (SB 1051) Rodda. Employment

(1) Existing law permits employers to vary rates of pay for male and female employees in the same establishment doing the same quantity and quality of the same classification of work if there is, among other things, (a) a difference in the ability or skill, (b) a difference in duties performed, whether regularly or occasionally, (c) a difference in the hours of work, or (d) restrictions or prohibitions on lifting or moving objects in excess of specified weights.

This bill would remove such provisions, and prohibit, with certain exceptions, differ-

ent wages for equal work on jobs requiring equal skill, effort, and responsibility, and which are performed under similar working conditions.

(2) Existing law permits any affected employee to file complaints with the Division of Labor Standards Enforcement alleging the wages paid him are less than the equal pay requirements.

This bill would require the division to keep the complainant's name confidential until specified events occur

(3) Existing law permits the division or the department to file a civil action, with an employee's consent, to recover wages due him

This bill would permit the division or department to bring a civil suit, unless otherwise requested by the employee or affected group of employees, and would permit a class action for wages by the division or department. The employee would be permitted to intervene or independently file suit if the suit is not determined within 180 days of the filing of the complaint.

(4) Existing law permits aggrieved employees to recover in civil actions any wages lost by receipt of wages in violation of the equal pay laws, and permits the award of costs of suit to such employees.

This bill would require the court in such civil suits to award attorney's fees and suit costs to the employee.

(5) Existing law places upon the person bringing the claim in such civil actions the burden of proof to establish differentiation in rates of pay is based on sex and not on other differences, factor, or factors.

This bill would delete such provision

(6) Existing law imposes statutes of limitations upon such civil actions of two years after the cause of action occurs if the employee did not have knowledge of the violation of the equal pay laws, or 180 days after the cause of action occurs if the employee had knowledge of the violation

This bill would delete the 180-day period of limitations, and would provide a two-year period from the date the cause of action occurs, in all cases

Ch. 1185 (AB 3371) Keene. Health.

Under existing law, certain complaints regarding health care professionals are required to be immediately forwarded to an appropriate medical quality review committee. If the committee determines that the complaint is without merit, the central file maintained by the professional board for that health care professional is required to be purged of information regarding the complaint.

This bill would delete the requirement that such complaints be immediately forwarded to a medical quality review committee. It would also provide that if a board, a committee, or a panel has failed to act on a complaint within five years, or if a board or a division thereof has found that the complaint is without merit, then the central file maintained by the professional board would be purged of information regarding the complaint.

Under existing law, the contents of the central file maintained by certain health care professional boards are confidential, with certain exceptions. This bill would instead provide that the contents of such files which are not public records are confidential, with certain exceptions.

Under existing law, certain administrators or officers of hospitals are required to report certain denials or restrictions of staff privileges imposed on licensees of specified licensing boards. This bill would instead require such reports regarding restrictions imposed on physicians and surgeons, osteopaths, podiatrists, or dentists

Under existing law, the Attorney General acts as the legal counsel for the Board of Medical Quality Assurance in all judicial proceedings, and may act as legal counsel in administrative proceedings at the board's discretion. This bill would require that the Attorney General act as legal counsel in both judicial and administrative proceedings

Under existing law, the Division of Medical Quality does not generally provide legal defense for persons who are not employees of the division. This bill would require the division to provide representation for a person who is not a regular employee but who is hired to evaluate the conduct of physicians, if that person is named in a civil action for defamation resulting from statements made to the division, as specified.

Under existing law, members of the Board of Medical Quality Assurance and its

divisions and various committees under its jurisdiction receive a per diem of twenty-five dollars (\$25). This bill would increase the per diem to fifty dollars (\$50).

Existing law does not specify that members of the Acupuncture Advisory Committee shall receive a per diem. This bill would provide that they receive a per diem.

Under existing law, 3 members of the Division of Licensing constitute a quorum. This bill would provide that 5 members of that division constitute a quorum.

Under existing law, 5 members of a panel of a medical quality review committee constitute a quorum. This bill would provide that 3 members of such a panel constitute a quorum.

Under existing law, an affirmative vote of a majority of the members of a panel present is necessary to decide any case, pass any measure, or make any recommendation. This bill would instead require an affirmative vote of three members of a panel in order to decide any case, pass any measure, or make any recommendation.

Under existing law, the Division of Medical Quality is required to review all decisions of a medical quality review committee which revoke a license, impose suspension for more than 30 days, and certain other matters, but is not required to review all decisions of medical quality review committees.

This bill would require the Division of Medical Quality to review all decisions of medical quality review committees, to comment on their appropriateness, and to promulgate recommended uniform disciplinary measures for particular situations.

Under existing law, medical quality review committees are staffed with at least 1 medical consultant. This bill would instead provide that each committee be staffed with sufficient medical consultants.

Under existing law, the Attorney General, if he finds that grounds for disciplinary action exist, must file a complaint with a medical quality review committee. Such complaints are heard by such committees. The hearing must be held within 45 days of the filing of the accusation.

This bill would delete the requirement that such complaints be filed with, and heard by, medical quality review committees. It would also provide that a hearing must be held within 45 days after the last day upon which discovery can be requested instead of 45 days after the filing of the accusation.

Under existing law, the Bureau of Medical Statistics is not authorized to maintain information that identifies _____ and patients, with certain limited exceptions. This bill would permit the bureau to maintain such information if it is required to carry out any function of the Board of Medical Quality Assurance or its divisions.

Under existing law, licensees of the Board of Medical Quality Assurance may be found guilty of unprofessional conduct for, among other things, gross negligence and incompetence. This bill would include repeated similar negligent acts as unprofessional conduct.

Under existing law, certain malpractice related arbitration agreements are required to contain a specified disclosure statement. However, certain health care service plans are exempt from this requirement.

This bill would modify the definition of those health care plans that are exempt from this requirement. It would also require such health care plans to disclose if the plan uses arbitration, as specified.

Under existing law, depositions or discovery may be obtained in certain arbitration proceedings only if it is impractical or impossible to obtain the attendance of the witness, or for other specified reasons. This bill would delete this limitation.

Under existing law, the Board of Medical Quality Assurance has an office in Sacramento, and may establish suboffices in Los Angeles and San Francisco. The bill would also permit the establishment of suboffices in San Diego. Legal proceedings against the board would be required to be instituted in one of these four cities.

This bill would also make technical modifications to the Medical Practice Act which specify which division or committee of the Board of Medical Quality Assurance has particular duties and authority. The bill would also delete provisions for meetings, the creation of committees, and the election of officers for the Board of Medical Quality Assurance, and would add similar provisions for divisions of the board.

Ch. 1186 (SB 1987) Roberti. Nursing home administrators

Existing law provides that the 9-member State Board of Examiners of Nursing Home Administrators shall consist of 3 members engaged in proprietary nursing homes, 2 engaged in nonprofit, charitable private nursing homes, one in an acute general hospital, as specified, and 3 representing the general public.

This bill would increase the public members to 5 by replacing one member who is engaged in a proprietary nursing home and the member engaged in a hospital when a vacancy occurs in such offices

Existing law provides that an applicant for a license as a nursing home administrator must, among other things, be of good moral character

This bill would delete such good moral character requirement

Existing law provides that if a nursing home administrator's license is not reregistered within 3 years from the most recent date for reregistration, the holder thereof must apply as a new applicant

This bill would provide that such condition would apply if such license is not reregistered within 3 years from the date of expiration.

Existing law provides as a condition of reregistration of such license that the licensee show proof that he has attended specified educational programs.

This bill would authorize the board to make exception from such continuing education requirements where a licensee for specified reasons cannot meet such requirements.

Existing law provides that the board may deny, suspend, or revoke such a license for, among other things, the conviction of any crime involving moral turpitude or corruption

This bill would delete such grounds and would add that the board may deny, suspend, or revoke such license for the conviction of any crime which is substantially related to the qualifications, functions, or duties of a nursing home administrator

Existing law prescribes that the delinquency fee for the late renewal of a nursing home administrator's license shall be 50% of the renewal fee. The renewal fee is set by the board at \$100.

This bill would provide that such delinquency fee shall be \$25

Ch. 1187 (SB 1951) Alquist Physical therapy

Existing law requires the Board of Medical Quality Assurance to fix the fees in connection with the practice of physical therapy

This bill would vest such duty in the Physical Therapy Examining Committee.

Existing law does not provide for the waiver of a license fee by the Physical Therapy Examining Committee.

This bill would authorize the committee to provide for the waiver or refund of the initial license fee for the practice of physical therapy if the license is issued less than 45 days before it will expire.

Existing law specifies that an applicant whose application is based on a diploma issued by a foreign physical therapy school recognized by a member nation of the World Confederation for Physical Therapy shall furnish specified documentary evidence of completion of courses.

This bill would delete the provision specifying that such school be recognized by a member nation of the World Confederation for Physical Therapy

Existing law requires each applicant for a physical therapist or physical therapist assistant's license to receive an average grade of 75% on an examination given by the committee and the law allows a person who has received a grade of 75% or higher in one or more parts of such examination to be reexamined in the parts in which he received less than 75%.

This bill would instead require such applicants to receive an average grade of 75% or a statistical formula the equivalent thereof for licensure and reexamination purposes

Existing law specifies the grounds for the revocation of any license issued pursuant to the Physical Therapy Practice Act.

This bill would add as grounds for the revocation of such licenses the aiding or abetting of any person to violate the provisions of such act or of any person to engage in the unlawful practice of physical therapy

The bill would make other technical changes in the Physical Therapy Practice Act

Ch 1188 (SB 2116) Gregorio. Department of Consumer Affairs.

Existing law prohibits public members of the various boards within the Department of Consumer Affairs from, among other things, having specified employment or contractual relationships with licentates of any such board or from being engaged in pursuits which lie within the field of the industry or profession regulated by the board of which he is a member. The law does not specify that such public members need be a specific age

This bill would require one public member of each board to possess expertise in one or more significant portions of the boards' regulated activities. The bill provides that a public member may be appointed without regard to age so long as such public member has reached the age of majority prior to appointment.

Existing law prescribes the membership of the Board of Dental Examiners, the Podiatry Examining Committee, the Physical Therapy Examining Committee, the Board of Registered Nursing, the Board of Vocational Nurse and Psychiatric Technician Examiners, the Psychology Examining Committee, the State Board of Optometry, the California State Board of Pharmacy, the Board of Examiners in Veterinary Medicine, and the Animal Health Technician Examining Committee.

This bill would revise the membership of such boards and committees by adding 1 or more public members to each board or committee as a vacancy occurs in the office of a professional member.

Existing law provides for governing boards for the following: accountants, architecture, landscape architecture, barbers, professional engineers, collection agencies, contractors, cosmetologists, funeral directors and embalmers, geologists and geophysicists, shorthand reporters, structural pest control operators, construction inspectors, cleaning, dyeing and pressing (fabric care), cemeteries, employment agencies, and furniture and bedding.

Each of these boards presently has a membership that consists of representatives of the profession and representatives of the public. Present law provides that each board has more professional members than public members

This bill would provide that there would be more public members than professional members on each board. The bill would accomplish this by having the Governor appoint a public member to fill each vacancy occurring in the office of a professional member, consistent with the requirements of professional representation, until the required number of public members is reached.

Existing law provides that the membership of the Board of Behavioral Science Examiners shall consist of 9 members appointed by the Governor with the advice and consent of the Senate and include 2 licensed clinical social workers, 2 registered social workers, 2 marriage, family, and child counselors and 3 public members. In addition, the law provides for the Governor to appoint 2 licensed educational psychologists to the board.

This bill would revise such membership of the board by deleting the registered social worker members from the board and 1 of the licensed educational psychologist members and adds 3 public members. The bill deletes the Governor's appointment of the licensed educational psychologists and thereby authorizes the Governor to appoint such members with the advice and consent of the Senate.

Ch. 1189 (SB 1839) Greene. Business and professions.

Existing law prescribes that the membership of the Board of Dental Examiners of California shall consist of 7 dentists and 1 public member

This bill would increase such board to 12 members by adding 1 dentist member and 3 public members

Existing law provides for an examining committee within the Board of Dental Examiners consisting of 10 members.

This bill would increase the membership of such examining committee to 60 members by adding 39 dentists and 11 dental hygienists

Existing law provides that licenses issued under the Dental Practice Act expire at 12 midnight on April 30 of each even-numbered year.

This bill would provide that all such licenses shall expire on the birth date of a licentiate of such act during the second year after issuance or renewal. The bill authorizes the Board of Dental Examiners to establish provisions for the administration of such birthday renewal program including a pro rata formula for the payment of fees.

Existing law prescribes the maximum amount for fees which are fixed by the Board of Dental Examiners for dentists and dental auxiliaries.

This bill would increase such maximum for such fees, as specified, and would establish a fee for an applicant for a license to practice dentistry, a fee for a clinical examination for dental auxiliaries and a fee for a substitute certificate for dental auxiliaries.

Existing law prescribes that the memberships of the Physical Therapy Examining Committee shall consist of 4 physical therapists and 1 public member.

This bill would revise such memberships by providing for 3 physical therapists and 3 public members.

Existing law prescribes that the membership of the State Board of Optometry shall consist of 6 members, 1 of whom shall be a public member.

This bill would increase the membership of such board to 9 members by adding 2 public members and 1 optometrist.

Existing law prescribes that the membership of the State Board of Pharmacy shall consist of 8 members, 1 of whom shall be a public member.

This bill would increase such board to 10 members by adding 2 public members.

Existing law prescribes that the membership of the State Board of Accountancy shall consist of 8 members, 2 of whom shall be public members.

This bill would add 1 public member to such board.

Existing law prescribes that the membership of the State Board of Registration for Professional Engineers shall consist of various specified members of specific branches of engineers.

This bill specifies that as a vacancy occurs in such professional membership the Governor shall appoint professional members so that 1 is a civil engineer; 1 is an electrical engineer, 1 is a mechanical engineer and 1 is a structural engineer.

Under existing law, authority is given to the Bureau of Employment Agencies to charge various fees not to exceed specified maximum amounts relating to the application, licensing, and examination of employment agencies.

This bill would revise such fee schedule by increasing the maximum amounts the bureau may charge for filing fees for new applications and applications to transfer or assign licenses, for annual licenses, and for interim employment agency licenses. The bill would decrease the fee for reinstatement of revoked or suspended licenses.

This bill would incorporate additional changes in Section 2604 of the Business and Professions Code proposed by Senate Bill No. 1951, to become operative if this bill and Senate Bill No. 1951 are both chaptered and become effective January 1, 1977, and this bill is chaptered last.

Ch. 1190 (AB 1522) Berman. Labor Commissioner: enforcement of labor laws.

The existing law permits the Division of Labor Law Enforcement to prosecute specified actions for the collection of wages, penalties, and demands of persons financially unable to employ counsel, permits the division to maintain actions in the courts of other states for the collection of claims for wages, judgments and other demands pursuant to reciprocal agreements or the laws of any other state, and permits the division, upon request of such other states, to maintain actions in the courts of this state upon assigned claims for wages, judgments and demands arising in that state.

This bill would require the Labor Commissioner to maintain such actions.

The existing law permits the division to enforce the provisions of all labor laws of the state not required to be enforced by other officers, boards, or commissions.

This bill would repeal such provisions.

The existing law provides that the ordinary costs for service of process, the regular court costs, and the fees for the filing or recording of any document or paper in the performance of any official service by the division, shall not be payable by the division, but such costs and fees shall be made a part of any judgment recovered by the division and shall be paid by the division if sufficient money is collected over and above the wages or demands actually due the claimants.

This bill would provide that such costs and fees of the Labor Commissioner made a part of any judgment recovered by the Labor Commissioner shall be paid by the Labor Commissioner if sufficient money is collected over and above the wages, penalties, or demands actually due the claimants.

The existing law provides that it is a misdemeanor to refuse admission to the Labor

Commissioner or his deputies to any place of labor, or to refuse them statistics or information pertaining to their lawful duties, punishable by a fine of not more than \$200.

This bill would make such action punishable by a fine of not more than \$500.

The existing law provides that it is a misdemeanor to willfully impede or prevent the Labor Commissioner or his deputies in the performance of duty, punishable by a fine of not less than \$10 nor more than \$50, or a specified jail term.

This bill would make such action punishable by a fine of not less than \$100 nor more than \$500, or the specified jail term.

The existing law provides that it is a misdemeanor to ignore willfully a subpoena issued by the Labor Commissioner or his deputies calling for an appearance at a distance from the place of service of 50 miles or less.

This bill would make it a misdemeanor to ignore willfully such a subpoena calling for an appearance at a distance from the place of service of 100 miles or less.

The existing law provides that in actions to recover unpaid wages, penalties, or demands of employees that are within the jurisdiction of a small claims court, the Labor Commissioner shall certify to the court that he has heard and determined the validity of such claims, and that the sum specified is the amount found due and payable.

This bill would repeal such provisions relating to small claims court actions.

The existing law requires the division to recover in a civil action the sum of \$10 from every person who fails to pay the wages of each employee.

This bill would permit the commissioner to recover such amount as part of a hearing held to recover unpaid wages and penalties, or in an independent civil action.

This bill would also enact new provisions which:

(1) Permit the Labor Commissioner, to investigate employee complaints, and to provide for a hearing in any action to recover wages, penalties, or other demands for compensation properly before the division or the Labor Commissioner, including orders of the Industrial Welfare Commission. The commissioner would be authorized to accept and determine claims from holders of returned payroll checks in certain cases.

(2) Specify the procedures for the serving of notice of the hearing on all adverse parties, the answering of the application by the defendants, and the procedures to be followed in the hearings.

(3) Provide for findings of fact and orders, decisions or awards by the Labor Commissioner and for interest on awards. It would also provide the method of satisfaction of judgment, and specify that order decisions and awards of the Labor Commissioner are final but subject to court review.

(4) Require the Labor Commissioner to promulgate regulations and rules of practice and procedure necessary to carry out the provisions of this bill.

(5) Require the Labor Commissioner to provide qualified bilingual persons in public contact positions or as interpreters to assist such positions, and to provide an interpreter in all hearings and interviews where appropriate.

Ch. 1191 (AB 3612) Keyser. Elections. primary and special elections.

(1) Existing law contains various provisions relating to presidential primary elections for qualified political parties.

This bill would revise such provisions making various technical and procedural changes.

(2) Existing law establishes a direct primary election to be held in June of each even-numbered year.

This bill would repeal the existing provisions establishing the procedures for the conduct of the direct primary election and enact new procedures for the conduct thereof.

(3) Existing law provides for independent nominations for state and local public office.

This bill would repeal the existing provisions establishing the procedures for independent nominations and enact new procedures therefor.

(4) Existing law establishes procedures for the nomination of candidates for legislative and congressional offices at special elections.

This bill would repeal the existing provisions establishing the procedures for the nomination of candidates for legislative and congressional offices at special elections and enact new procedures therefor.

(5) This bill also makes the operation of certain of its provisions dependent upon the chapter of other bills.

Ch. 1192 (AB 3683) Fazio. Elections: crimes.

(1) Under the existing provisions of the Elections Code, various crimes are enumerated under the several divisions of the code, and a violation of such crimes constitute either a misdemeanor or felony, as prescribed.

This bill would substantially revise such existing penal provisions relating to elections by codifying substantially all of such provisions, in revised form, in a new Division 15 to the Elections Code, and would delete certain of such provisions. It would also make certain existing felonies misdemeanors. In addition, it would provide that certain prohibited conduct may be punished either as a misdemeanor or as a felony.

(2) The existing law also provides that if a person violates any of the provisions of the law relating to elections and a punishment is not specifically prescribed, the penalty for such a violation must be a fine of not exceeding \$1,000 or prescribed punishment in the state prison, or both (i.e., a felony).

This bill would delete such provision.

(3) The existing law states that if a fine is not specifically prescribed in a penal provision, the court may prescribe specified fines depending upon the crime.

This bill would provide that if a fine is not specifically prescribed in a penal provision, the court may prescribe specified increased fines.

This bill also makes the operation of certain of its provisions dependent upon the chaptering of other bills and provides fixed rather than indeterminate prison sentences in conformance with SB 42 except that such sentences would be considered indeterminate sentences to be determined by the Adult Authority until the operative date of SB 42.

Ch. 1193 (AB 4314) Knox. Courts: Contra Costa County.

(1) Existing law provides that there shall be 11 judges of the superior court in Contra Costa County.

This bill would increase the number of judges from 11 to 12.

(2) Existing law specifies the compensation of superior and municipal court reporters and other municipal court personnel in Contra Costa County.

This bill would increase the compensation of such personnel.

(3) Existing law provides that the fee for specified superior and municipal court filings in Contra Costa County, the proceeds of which are used to compensate court reporters, is \$15.

This bill would increase the fee from \$15 to \$16.

(4) Existing law provides that the clerk-administrator of a municipal court in the county shall appoint all personnel in the marshal's office subject to the approval of the judges of the court.

This bill would provide that the judges of the court shall appoint the marshal and that the marshal shall appoint all other personnel in the marshal's office subject to the approval of the judges.

(5) The bill would also appropriate \$60,000 to the State Controller for allocation and disbursement to Contra Costa County for costs incurred by the county pursuant to the provisions of the bill relating to superior court judges, and would further provide that no other reimbursement or appropriation shall be made for any costs that may be incurred by local agencies pursuant to this bill.

(6) The bill would make those provisions which increase the compensation of superior court reporters in Contra Costa County inseverable from the provisions of existing law requiring the Judicial Council to provide for the maintenance of records on the work product and fees of all court reporters in the county and to audit, inspect and report on such records.

Ch. 1194 (AB 4512) Chacon. Mobilehomes: construction and safety standards.

(1) Under existing state law, the Commission of Housing and Community Development is authorized to adopt rules and regulations with respect to mobilehome construction and safety standards which include, among others, plumbing, heating, electrical, health and safety, and fire protection standards. However, the National Mobile Home Construction and Safety Standards Act of 1974 (Title VI of P.L. 93-383) requires the Secretary of Housing and Urban Development to establish appropriate federal mobilehome construction and safety standards which preempt any state standards regarding

construction or safety applicable to the same matters that are not identical.

The bill would require all mobilehomes manufactured on or after the effective date of the bill to comply with the federal mobilehome construction and safety standards. Any person who violates in this state prescribed provisions of the National Mobile Home Construction and Safety Standards Act of 1974 would be liable to the state for specified civil penalties and any individual or a director, officer, or agent of a corporation who intentionally violates 42 U.S.C. 5409 would be subject to state fine or imprisonment, or both

(2) Existing provisions of the National Mobile Home Construction and Safety Standards Act of 1974 (Title VI of P.L. 93-383) authorize any state, which desires to assume responsibility for enforcement of federal mobilehome safety and construction standards, to submit a state plan to the Secretary of Housing and Urban Development of the United States Department of Housing and Urban Development

This bill would authorize the department to assume responsibility for enforcement of the federal standards and to conduct inspections and investigations for enforcement of the law relating to mobilehomes, commercial coaches, and recreational vehicles

(3) Under existing law relating to mobilehomes, recreational vehicles, and commercial coaches, any person violating such law is guilty of a misdemeanor punishable by a fine not exceeding \$200 or by imprisonment not exceeding 30 days, or both

This bill would make a person violating any federal mobilehome construction and safety standard subject to other prescribed state penalty provisions.

This bill would provide no reimbursement for costs to local agencies incurred pursuant to the bill for a specified reason.

The bill would take effect immediately as an urgency statute

Ch. 1195 (SB 1642) Roberti. Fair employment practices: marital status.

The existing law provides that it is against public policy, and an unlawful employment practice, for an employer, labor organization, or any person, to discriminate in employment or membership because of the race, religious creed, color, national origin, ancestry, physical handicap, medical condition, or sex of any person.

This bill would, in addition, provide that it is against public policy, and an unlawful employment practice, for any employer, labor organization, or any person to discriminate in employment or membership because of the marital status of any person

Ch. 1196 (AB 2450) Garamendi. Health: services in rural areas.

Present law does not contain specific authorization for the State Department of Health to recruit health professionals for service in areas where health services are currently inadequate. Also, under current law, there is no state program specifically concerned with health care in rural and other medically underserved areas.

This bill would require the Director of Health to establish a California Health Services Corps in the State Department of Health and to assign members to an existing health provider or facility, health services development projects, or directly to rural areas in California where health services are inadequate. The state department would be required to plan and put into operation a number of prescribed health services development projects, the purpose of which is to demonstrate effective ways of providing health care services in underserved rural health areas. Such projects could be either conducted under contract by a prescribed agency or administered directly by the state department.

This bill would require the director to establish within the state department a single organizational unit for coordination of state rural health programs. The bill would require the state department to create an Advisory Committee on Rural Health Services.

The bill would require the Health Manpower Policy Commission to perform specified planning functions.

The State Department of Health would be required to submit reports to the Legislature evaluating, summarizing, and improving rural health care efforts undertaken pursuant to this bill.

The provisions of the bill, except for the reporting requirement, would be effective only until January 1, 1979

This bill would appropriate \$4,300,000 to the State Department of Health for carrying out the purposes of the bill, according to a prescribed schedule

Ch 1197 (AB 2543) Brown. Public social services

Under the current state supplementary program the total cost of services, except services for a severely impaired recipient, cannot exceed \$350 per month.

This bill would provide annual cost-of-living adjustments on such amount from January 1, 1975.

This bill would become effective immediately as an urgency measure.

Ch. 1198 (AB 2929) Fenton. County Employees Retirement Law: board of investments.

The County Employees Retirement Law of 1937 presently provides that in counties in which the assets of the retirement system exceed \$8,000,000 the board of supervisors may establish a 7-member board of investments.

This bill would increase the board of investments to 9 members by adding a member who shall be a retired member of the association who is also a member of the board of retirement and an additional public member

The bill would provide that there be no reimbursement of any local agency for specified reasons.

Ch. 1199 (AB 3011) Greene. Elections: registration of voters

Existing law does not authorize a voter moving within the same county to amend his affidavit of registration by notifying the clerk of his new address; rather he must reregister.

This bill would authorize such a voter to notify the clerk of his new address within the county without reregistering, and would require the clerk to provide a form or prepaid postcard notice for such purposes.

This bill provides that its provisions would not become operative if AB 2606 is chaptered; and it provides that if SB 1654 is chaptered, the provision of this bill, amending Section 225, Elections Code shall not become operative

This bill would also provide that no reimbursement nor appropriation is made by this act to local agencies for costs incurred by them pursuant to this act because of a specified reason.

Ch 1200 (AB 3416) Gualco. Dance studio lessons contracts.

Existing law requires every contract for dance studio lessons or other dance studio services to contain a clause providing that if, by reason of death or disability, the person agreeing to receive such lessons is unable to receive all lessons he or his estate is relieved from making payments for lessons not received and is entitled to a refund for any prepaid sum as is allocable to lessons not received. It also expressly requires whenever the contract price is payable in installments and the buyer is relieved from making further payments or is entitled to a refund, that the amount of the contract price allocable to lessons and other services not received shall be of at least a specified proportion of the total contract price.

This bill would specify that, whenever the contract price is payable in installments and the buyer is entitled to a refund by reason of death or disability, the buyer is entitled to receive a refund or refund credit of so much of the cash price as is allocable to the lessons or other services not actually received by the buyer and a specified portion of the finance charge, and would specify that refunds comply with the "sum of the balances" method, also known as the "Rule of 78."

Existing law requires contracts for dance studio lessons to contain a written statement of the hourly rate for the lessons, but does not expressly require a separate hourly rate for each type of lessons

This bill would require each such contract to contain a written statement of the hourly rate for each type of lessons for which a dance student has contracted

Existing law requires dance studios which require or receive in the ordinary course of business prepayment for lessons or other services to maintain a surety bond in an amount dependent upon gross income during the preceding fiscal year but not less than \$10,000, or a cash deposit in lieu thereof.

This bill would also require a dance studio which elects to procure a bond to file with the Secretary of State a declaration under penalty of perjury stating the studio's gross income from the dance studio business in this state during the last fiscal year. It would

also require a new owner of a dance studio, as a condition of doing business, where the person in whose name the bond is issued severs his relationship with the bonded dance studio, to notify the Secretary of State of the change of ownership and of proof of compliance with the surety bonding requirements.

Existing law provides an exemption from the surety bonding requirements to any dance studio which does not require or receive in the ordinary course of business prepayment for lessons or other services, upon filing a specified declaration so stating.

This bill would delete such exemption and would provide, instead, for an exemption from such bonding requirements for any dance studio which requires or receives less than \$50 in advance payments from each student and such advance payments are not required or received by the studio from each student more frequently than once every 30 days

Existing law does not require a dance studio to inform its customers of the surety bonding requirement or the cash deposit in lieu thereof

This bill would require to be included in each contract for dance studio lessons or other services a statement that the studio is bonded and that information concerning such bond may be obtained from the Secretary of State, or, if the studio makes a cash deposit in lieu of obtaining a bond, the description of the cash deposit.

Ch. 1201 (AB 3522) Knox Property taxation assessments.

Under existing law a county board of supervisors may provide by ordinance for reassessment of property which has sustained damage, by misfortune or calamity in excess of \$1,000

This bill would allow a county board of supervisors to provide by ordinance for reassessment of property which has sustained damage or destruction by misfortune or calamity in excess of \$5,000.

The bill would specify that the applications for reassessment may be filed within 60 days of the misfortune or calamity and would also make related changes.

Ch. 1202 (AB 3619) Duffy. Nursing assistants' long-term health care facility.

Existing law does not require a long-term health care facility to have an approved training program for nurse assistants.

This bill would require each long-term health care facility to adopt an approved training program for nurse assistants working in the facility. The bill would require persons employed by a long-term health facility as nurse assistants to be certified or enrolled in precertification programs, as specified. The bill would require the State Department of Health to publish regulations on (1) standards for preemployment training programs for nurse assistants, (2) standards for approved training programs for nurse assistants, and (3) standards for certification examinations for nurse assistants, as specified.

The bill would require the State Department of Health to provide rate adjustments to long-term health care facilities under the Medi-Cal program for additional costs incurred with respect to Medi-Cal patients by specified provisions of the bill.

The bill would appropriate \$18,000 to the State Controller for allocation and disbursement to local agencies for costs incurred by them pursuant to this bill and \$1,138,000 to the State Department of Health for expenditure without regard to fiscal year to carry out the bill.

Ch. 1203 (AB 3641) Bane State Teachers' Retirement System survivor benefits

Existing State Teachers' Retirement Law requires monthly benefits to be paid to the guardian of surviving dependent children under age 18 when a member dies prior to retirement and there is no eligible surviving spouse.

This bill would require such amounts to be instead paid to the designated trustee, if any, of the children's estate.

This bill incorporates additional changes in Sec. 14186, Education Code, proposed by AB 3513 to be effective only if AB 3513 and this bill are both chaptered and become effective January 1, 1977, and this bill is chaptered last.

Ch 1204 (AB 3785) Knox San Francisco Bay Area Rapid Transit District

(1) Under the San Francisco Bay Area Rapid Transit District Act, the San Francisco Bay Area Rapid Transit District is required to impose a $\frac{1}{2}\%$ transactions and use tax until December 31, 1977, or until the end of the quarter prior to that date when the district will receive the amount necessary to finance a \$150,000,000 bond issue for the construction of its approximately 75-mile transit system and \$82,200,000 for operational purposes, liquidation of operational deficits, and principal and interest payments on negotiable bonds issued in anticipation of such tax revenues.

This bill would require the district to impose the $\frac{1}{2}\%$ transactions and use tax until June 30, 1978.

(2) Under that act, the district was authorized to issue negotiable anticipatory bonds in the amounts of \$16,000,000 during the 1974-75 fiscal year, and \$8,000,000 during the 1975-76 fiscal year, to finance its operation during those fiscal years.

The bill would authorize the district to issue an additional \$1,300,000 of such bonds to finance its operation during the 1976-77 fiscal year.

(3) Under that act, the district board is required to have an annual audit of the books and accounts of the district conducted.

The bill would require the district board to install an automated management information system to enable it to submit reports monthly to the Metropolitan Transportation Commission and the Office of the Legislative Analyst on the district's expenditures as compared to the projected expenditures in its budget, and the district board would be required to submit such reports to the commission and that office.

(4) Under that act, the Legislative Analyst is required to submit to the Legislature his comments and recommendations on the district's budget for the current fiscal year and the proposed budget for the next fiscal year by June 1, 1975, 1976, and 1977.

The bill would require the Legislative Analyst to submit to the Legislature, commencing July 1, 1977, and each quarter thereafter, a report on the expenditures of the district as compared to the projected expenditures in its budget, together with his comments and recommendations on any variance between the actual and projected expenditures.

(5) The commission, in coordination with the transit operators in the San Francisco Bay area, would be required to develop and submit a report to the Legislature, not later than January 10, 1977, on the near- and long-term financing requirements of public transit within the area, including recommendations on resource allocation criteria and procedures and on new sources of revenues. The Legislative Analyst would be required to submit an updated version of his report entitled "Financing Public Transportation in the San Francisco Bay Area," dated November 1975, to the Legislature by January 10, 1977.

The Legislative Analyst, in cooperation with the commission and the Public Utilities Commission, would be required to determine specified facts on achieving the level of reliability and safety necessary for operations of the district, as determined by the Public Utilities Commission, and to submit his findings and recommendations to the Legislature on or before June 30, 1977.

(6) The bill would state the intent of the Legislature regarding the extension of the imposition of the $\frac{1}{2}\%$ transactions and use tax, the continuation of existing services, and the controllable operating costs of the district.

(7) The bill would make other related changes.

(8) The bill also would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section, nor shall there be any appropriation made by this bill, for a specified reason.

Ch 1205 (AB 3917) Calvo Municipal and justice courts; traffic schools

Existing law provides that a court may order any person convicted of a traffic violation to attend a school for traffic violators or a licensed driving school.

This bill would permit a municipal or justice court to order the collection of a uniform fee from every person ordered to attend such a school or attending any other court-supervised program of driving instruction. Such fee would be required to be commensurate with the cost incurred by the court in carrying out provisions of law relating to traffic school orders or in supervising any such other program, but would be limited to a maximum amount of \$5 per person. All such fees would be required to be deposited with the county treasurer and would be available for disbursement by the board of

supervisors as the public interest requires.

The bill would also provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by the bill for a specified reason.

Ch. 1206 (AB 4093) Chimbole. Air pollution: motor vehicles.

(1) Under existing law, there is no prohibition against a resident of this state purchasing and registering a new motor vehicle out of state, and then registering the motor vehicle for use in this state even though the motor vehicle does not meet new motor vehicle emission standards adopted by the State Air Resources Board. New motor vehicles sold in this state are required to meet those standards.

This bill would prohibit any person who is a resident of, or doing business in, this state from delivering, purchasing, leasing, or receiving new motor vehicles for use and registration in this state with the intent of avoiding compliance with the adopted emission standards and would impose a civil penalty of up to \$5,000 for each vehicle involved in a violation.

[(2) Under existing law, specified civil penalties are imposed on manufacturers, distributors, and dealers for specified violations with respect to new motor vehicles.] *

[The bill would impose a civil penalty of not to exceed \$500 for each violation by a person of a statutory provision regarding vehicular air pollution control, or of any order, rule, or regulation adopted by the board pursuant to those statutory provisions, if no specific civil penalty or fine is provided in those statutory provisions and would require the civil penalties to be deposited in the Air Pollution Control Fund.] *

~~[(3)]~~ * Under existing law, the board is authorized to certify new motor vehicles, and motor vehicle pollution control devices for new motor vehicles, meeting the adopted emission standards.

The bill would delete the authority of the board to so certify motor vehicle pollution control devices for new motor vehicles, but would authorize the board to so certify new motor vehicle engines.

~~[(3) The bill would make any violation of specified statutory provisions of the Health and Safety Code regarding vehicular air pollution control, or any order, rule, or regulation adopted by the board pursuant to those statutory provisions, a misdemeanor for each day of violation. *~~

(4) The bill would provide for the issuance, by a licensed installer, of a certificate of noncompliance with respect to any motor vehicle or motor vehicle engine if the vehicle or engine is not the subject of a transaction involving a person in the business of selling, leasing, or renting new motor vehicles or new motor vehicle engines. A licensed installer would be required to send copies of such certificate to the Bureau of Automotive Repair in the Department of Consumer Affairs and the bureau would be required to forward such copies to the board.

(5) The bill would make other related conforming changes.

(6) The bill would provide that there would be no reimbursement of costs to local agencies for a specified reason.

Ch. 1207 (AB 4242) McCarthy. Medi-Cal

Under current law, rates for payment for Medi-Cal services are based on payment of the reasonable cost for such services.

This bill would require the Director of the State Department of Health to establish a statewide uniform schedule for reimbursing physician services to Medi-Cal patients provided on or after July 1, 1976 with specified exceptions. The bill would require the reimbursement level to represent at least an average increase over the statewide average amounts paid for the 3-month period ending February 29, 1976, of 95% for all physician services except primary care services and maternity care services, of 20% for primary care services, and of 30% for maternity care services.

The bill would also require the director to annually review reimbursement rates for physicians and dentists taking into account specified factors and report to the Legislature on the effectiveness of such reimbursement program.

The bill would require the director to establish a uniform schedule for reimbursing dental services to adult Medi-Cal patients on or after July 1, 1976, at a level equal to the statewide average paid amount for such services rendered to children under the Medi-Cal program in 1974.

The bill would require the director to establish a reimbursement rate for intermediate and skilled nursing facilities sufficient to provide an average wage increase of a specified amount for all nonadministrative employees of such facilities and for the implementation of such wage increase.

This bill would also require the department to establish the minimum number of equivalent nursing hours per patient, as defined, required in skilled nursing and intermediate care facilities.

The bill would appropriate \$52,500,000 for such purposes.

The bill would be an urgency statute and become effective immediately.

Ch. 1208 (AB 4284) Brown. Child health and disability prevention program.

(1) Present law establishes a State Child Health Board, with 3 voting members appointed by the Governor and 1 member each appointed by the Chairman of the Senate Rules Committee and the Speaker of the Assembly.

This bill would increase the number of voting members of such board to 9, with 5 appointed by the Governor and 2 each appointed by the Chairman of the Senate Rules Committee and the Speaker of the Assembly. The bill would revise the qualifications prescribed for membership on such board. The bill would make the physician members of the board a technical advisory committee for reviewing prescribed standards and regulations. This bill would also revise the duties of such board.

(2) Present law requires each county to appoint a local advisory committee to assist in the administration of the child health and disability prevention program.

This bill would revise the membership thereof and would require each local advisory committee to perform such duties relating to child health as may be delegated by the board of supervisors.

(3) Present law requires the State Department of Health to adopt a five-year plan for child health and disability prevention services by October 1, 1974.

This bill would extend such date to October 1, 1977.

(4) Under existing law, the State Department of Health is required to administer and adopt standards for the approval of community child health and disability prevention programs.

Under existing law, the State Department of Health is required to develop a schedule of reimbursement for services rendered pursuant to child health and disability prevention programs and to bill third parties, including the California Medical Assistance Program, when recipients of such services are entitled to third-party reimbursement.

The bill would require the state department and counties to maximize the use of federal funds.

This bill would provide that such reimbursement schedule include provision for well child examinations and administrative expenses incurred by providers.

The bill would require a school district or private school to provide specified information to the parents or guardian of kindergarten children and to report specified information annually to the State Department of Health and the Department of Education regarding children in the first grade. The bill would require reimbursement of the cost of providing such information through the child health and disability prevention program.

The bill would authorize the Superintendent of Public Instruction to withhold average-daily-attendance funds to any school district for any child for whom a prescribed certificate or parental waiver has not been obtained.

The bill would require that the information and results of the health screening and evaluation be confidential and not be released except with the informed consent of a parent or guardian of the child. The results could not be released to any public or private agency, even with consent of a parent or guardian, unless accompanied by a professional interpretation of what the results mean.

The bill would make other related substantive changes in the child health and disability prevention program provisions.

(5) The bill would appropriate \$796,000 to the State Department of Health, in augmentation of subitem (j) of Item 293 of the Budget Act of 1976, for the child health disability prevention program.

(6) The bill would take effect immediately as an urgency statute.

Ch. 1209 (AB 4305) Mobley. County Employees Retirement Law: benefits.

Existing County Employees Retirement Law of 1937 requires the retirement board to determine permanent incapacity for the performance of duty in all cases.

This bill would permit the retirement board to retire a member for non-service-connected disability retirement while a member pursues any rehearing upon the member's application for service-connected disability retirement.

Ch. 1210 (AB 4502) Meade. Exemption from execution.

Under existing law a judgment debtor may claim an exemption from execution for a motor vehicle, where the total value of the vehicle does not exceed \$1,000, in the amount of \$500, over and above all liens and encumbrances. The law also provides that, upon an execution sale of a motor vehicle, the proceeds are to be applied 1st to the seller or mortgagee of the motor vehicle, 2nd to the judgment debtor up to the \$500 amount of the allowable motor vehicle exemption, and 3rd, the balance, if any, in like manner as the proceeds of sale are applied in other cases.

This bill would delete the above provisions and would provide, instead, for an exemption for a motor vehicle of a value of \$500, over and above all liens and encumbrances.

The bill would provide for the distribution of the proceeds in a specified order of priority depending on whether the debtor has more than one vehicle. When the debtor has only one vehicle, the debtor would receive \$500 after distribution to the seller, lienholder or encumbrancer.

The bill would make other related changes.

Ch. 1211 (SB 564) Dunlap. Elections.

Existing law does not generally prohibit a state agency or department from requesting a state employee to vote for or against a particular candidate for public office or ballot measure.

This bill prohibits state agencies from using their publications to advise state employees of any constitutional officer's choice of candidates for public office or for recommending positions on specific ballot propositions not related to the functions of the particular agency.

This bill also provides that any state officer who violates such provision is guilty of a misdemeanor.

This bill further provides that no appropriation is made for reimbursement of local agencies for costs incurred by them pursuant to this act because the Legislature recognizes that during any legislative session a variety of changes to laws relating to crimes and infractions may cause both increased and decreased costs to local government entities and school districts which, in the aggregate, do not result in significant identifiable cost changes.

Ch. 1212 (SB 1483) Holden. Health services: genetically handicapping conditions.

Under existing law, the Director of Health is required to establish and administer a program for the medical care of persons with hemophilia who are financially qualified to receive treatment. The director is required to seek the advice of a five-member Advisory Committee on Hemophilia with respect to regulations pertaining to hemophilia services.

This bill would change the provisions that now apply to hemophilia to make persons with genetically handicapping conditions, including cystic fibrosis, hemophilia, sickle cell disease, and any other genetically handicapping conditions, as defined, added by the director, eligible for program services.

The bill would delete the present financial qualifications for hemophilia services and would require the State Department of Health to establish uniform standards of eligibility for services for persons with genetically handicapping conditions.

The five-member Advisory Committee on Hemophilia would be changed to a nine-member Advisory Committee on Genetically Handicapped Person's Program.

The state department would be required to maintain sufficient, appropriate staff to carry out the program services.

The list of available program services would be increased, and the director, with the approval of the advisory committee, would be required to establish priorities for use of funds and provision of services. The state department would be required to establish

repayment schedules for services not later than January 30, 1977, upon the approval by the Department of Finance.

The bill would appropriate \$228,400 to the State Department of Health for the purpose of carrying out program services under the bill.

Ch. 1213 (SB 1615) Rodda. CSUC: layoff of employees.

Under existing law, the Trustees of the California State University and Colleges are required to provide by rule for, among other things, the layoff of their appointees and employees. Pursuant to such requirement, the trustees have adopted administrative regulations governing the separation of state university or college employees from service for lack of funds or lack of work which appear in Title 5 of the California Administrative Code.

This bill would codify such administrative regulations.

Ch. 1214 (SB 2002) Roberti. Unclaimed property.

Existing law provides that, except as specified, savings or matured time deposits made with a banking organization, together with any interest or dividends thereon, and funds paid toward the purchase of shares or other interest in a financial organization or any deposit made therewith, and any interest or dividends thereon, escheat to the state when the owner of such property has not, for more than 15 years, undertaken specific action indicating an interest in the funds or deposit.

This bill would shorten the period of inactivity from 15 years to 7 years.

This bill would also require a banking or financial organization to make reasonable efforts to notify the customer not less than six nor more than 12 months before that customer's deposit, shares, or other interest in the banking or financial organization will escheat. The notice would include the time of escheat, the effects of escheat, and a form, as prescribed by the State Controller, for indicating an intention to maintain the deposits, shares, or other interest which would prevent that escheat. The banking or financial organization would be authorized to impose a related service fee of not to exceed \$1.

Ch. 1215 (AB 2471) Perino. Cherry tree diseases. appropriation for investigation.

Under existing law there is no specific provision for an appropriation to be made to the Department of Food and Agriculture for the investigation of the cause and cure of the current widespread disease or diseases attacking cherry trees in San Joaquin County.

The bill would appropriate \$25,000 from the General Fund to the department as a loan for such purposes, subject to the requirement that the Director of Food and Agriculture approves a marketing order or agreement that provides for the entire reimbursement to the state of such appropriation. The bill also would require the department to report on or before July 1, 1977, on any research or progress made in connection with such investigation.

Ch. 1216 (AB 2931) Mobley. Air pollution; agricultural burning.

For purposes of regulating burning in connection with air pollution regulations, "agricultural burning" is defined to mean, among other things, open outdoor fires used in agricultural operations in the growing of crops or raising of fowl or animals.

This bill would, in addition, include the open outdoor fires used in burning solid waste which is produced from the ginning of cotton within the definition of "agricultural burning" for purposes of regulating burning, in connection with air pollution regulations, and would provide that such provisions shall remain in effect only until January 1, 1979, and as of that date are repealed.

The person issued a permit for such burning would be required to pay to the issuing agency a fee of 15 cents for each bale of cotton ginned that will produce the solid waste that is to be burned. To pay for the administrative costs of issuing such permits, the issuing agency would be permitted to retain from such fees either an amount equal to the cost of issuing such permits, or 4% of such fees, whichever is less. The issuing agency would be required to deposit monthly the remainder of the collected fees in the Air Pollution Control Fund, which fees would be continuously appropriated to the State Air Resources Board for research and development of cotton gin trash incinerator heat exchanger or other device for the disposal of such solid waste, consistent with emission standards set by the state board or an air pollution control district.

The bill would provide that, for specified reasons, neither an appropriation is made nor an obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to this bill.

Ch. 1217 (AB 3462) Davis. Fairs: apportionment of funds.

(1) Under existing law, the Department of Food and Agriculture apportions funds appropriated for the encouragement of county, district agricultural associations or combined county and district agricultural association fairs on a monthly basis.

This bill would require the department to make the monthly apportionments on a need basis, defined as the combination of the current cash position of the fair and the time of year the annual fair is held, up to the amount of the annual apportionment.

(2) Under existing law, apportionments for fairs are based on premiums paid by the fairs. Existing law also specifies the basis for such premiums, limitations on apportionments, and the procedure for determining premiums.

This bill would repeal those provisions specifying the basis for premiums, limits on apportionments, and specifying the procedure for determining the premiums paid but would retain the provision for apportionments based on premiums actually paid.

(3) The State Contract Act currently authorizes capital outlay projects of district agricultural associations up to \$100,000 to be carried out directly by the association if the Department of General Services determines that its services in connection therewith are not required.

This bill would authorize any capital [capital] * outlay project, regardless of amount, to be carried out by the association if the department makes that determination.

(4) This bill also provides for the creation of one exempt deputy or employee in the Division of Exposition and State Fair of the Department of Parks and Recreation, to be appointed by the Governor upon the nomination of the Director of Parks and Recreation.

(5) This bill also appropriates \$34,000 to the Department of Parks and Recreation to fund contract administration and planning and development functions within the Division of Exposition and State Fair.

Ch. 1218 (AB 3480) Thurman. Marketing orders.

Existing law authorizes research for determining the production, processing, and distribution qualities of any agricultural commodity subject to a marketing order. Any project for such research is required to be carried out by the College of Agriculture of the University of California, unless the college has no facilities for a particular project or better facilities exist elsewhere.

This bill would authorize provision in a marketing order for research studies regarding those characteristics of perennial agricultural commodities subject to a marketing order for periods not to exceed 10 years, even though the duration of the research study would exceed the duration of the marketing order, if the Director of Food and Agriculture finds there is no satisfactory alternative, the director has determined, after conducting a specified public hearing and making certain findings, that such proposed research project shall be submitted for a vote of those persons being regulated, a specified number of such persons vote approval, and of such voters, marketed not less than 51% of the total quantity of the commodity marketed in the next preceding marketing season by such persons who voted. The bill also would provide for funding of studies regarding perennial and other commodities, would require such studies be performed by the University of California unless it has no facilities for a particular project or better facilities exist elsewhere, and would make technical changes.

Ch. 1219 (AB 3486) Garamendi. Farm products; livestock, payment.

Under the existing provisions of law, generally, every dealer is required to pay for any farm product which is delivered to him at the time and in the manner which is specified in the contract with the producer or, if no time is set by such contract, or at the time of the delivery, he is required to pay for the farm product within 30 days from the delivery or taking possession of such farm product.

This bill would specifically require, notwithstanding the above provisions, every dealer who purchases livestock for slaughter to make full payment for such livestock, by the transfer of collected funds to the seller's account, within two business days from the

delivery of such livestock to the dealer. It would define "business day" for the purposes of such provisions.

This bill would also provide that, for specified reasons, neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill.

Ch. 1220 (AB 3610) Thurman. Weight fees; payment.

The law presently permits a proportionate share of weight fees for commercial vehicles to be paid for specified quarterly registration periods.

This bill would permit such fees for trucks and trailers, used exclusively to transport agricultural products upon the highway, to be paid for three consecutive calendar months, irrespective of the specified calendar quarters.

Ch. 1221 (AB 3771) McVittie. Livestock.

The law presently requires that, with respect to certain estrayed animals delivered to a brand and hide inspector, notice of the taking up of the animal must be published by the Director of Food and Agriculture for a specified period in a local paper.

This bill would instead permit a list of brands and descriptions of the animals to be published periodically in the classified section of a livestock industry publication which is in general circulation throughout the state.

The bill would also require retention of specified records relating to livestock and would require exhibition of such records on demand of a hide and brand inspector or peace officer.

The bill would also exempt described classes of dairy calves from specific requirements of inspection of cattle prior to transportation thereof, but would require preparation of a specified bill of sale or consignment prior to such transportation and would require such bill of sale or consignment to accompany the dairy calves.

Under existing law, the chief of the division of the Department of Food and Agriculture who has jurisdiction over specified areas, including livestock and meat inspection, is required to be a graduate of a recognized college of veterinary medicine and be licensed to practice in the state.

The bill would, instead, require that such chief officially designate an employee of the department as "State Veterinarian" and require such employee to be such a graduate, to be so licensed, and to have a state civil service classification of veterinary medical officer III or above.

The bill would also provide that neither appropriation is made nor obligation created for the reimbursement of local agencies for costs incurred by them pursuant to this bill for a specified reason.

Ch. 1222 (AB 3794) Thurman. Marketing orders.

(1) Under existing law, the Director of Food and Agriculture is required to give due notice of, and an opportunity for a public hearing upon, a proposed marketing order or proposed amendments to an existing marketing order.

This bill would require notice of a public hearing of 30 days; except in an emergency cited by the director.

(2) Under existing law, all handlers of a commodity subject to a proposed marketing order or proposed amendments to an existing marketing order have 10 days from the notice of the order or amendment to file a report containing specified information to the Director of Food and Agriculture.

This bill would extend the period for the report from 10 days to 15 days.

(3) Under existing law, assessments levied pursuant to a marketing order on producers and collected through handlers are not expressly declared to be trust funds held by the handler for the purposes of the marketing order nor are they expressly required to be remitted in a timely manner to the director.

This bill would so provide.

(4) Under existing law, any action for any penalty or other remedy for a violation of the provisions relating to marketing orders must be commenced within 2 years of the alleged violation.

This bill extends the time period for commencement of actions from 2 years to 3 years.

(5) Under existing law, the Director of Food and Agriculture is generally not required to issue refunds to producers under marketing orders of less than \$1.

This bill would provide that refunds of less than \$5, rather than \$1, would not generally be required.

(6) Under existing law, upon the recommendation of the marketing program committee, the director is authorized to relieve the proration zone agent of the responsibility of collecting any amount which is due and unpaid not exceeding \$1, if the director determines that the collection is improbable or the cost of collecting would exceed the amount which is involved.

This bill would make such authority applicable to any amount which is due and unpaid not exceeding \$5.

(7) Under existing law research carried out under marketing orders must be conducted by the College of Agriculture of the University of California or a research agency selected by the Dean of the College of Agriculture and an advisory board.

This bill would, if AB 3480 does not become effective, change the reference from the Dean of the College of Agriculture of the University of California to the Vice President for Agricultural Sciences of the University of California.

Ch. 1223 (AB 3860) Thurman. Pesticides; restricted materials; pest control.

(1) Under the existing law, every license and registration required under the provisions regulating the use and sale of economic poisons expires on December 31 of each year and may be renewed after application, as prescribed.

This bill would, instead, provide that every such license and registration expires on December 31 of each year except when renewal is applied for within one month thereafter as prescribed.

(2) Under the existing law the provisions regulating the use of restricted materials applies to all agencies of the United States and this state and its subdivisions or to their officers, agents, or employees, except when acting within the scope of their authority and while engaged in conducting or supervising research on any restricted material.

This bill would delete the provision exempting such officers, agents, or employees when acting within the scope of their authority and while engaged in conducting or supervising research on any restricted material.

(3) Under the existing law any person who is required to register economic poisons and who sells or transfers any restricted material is required to render a report of sale to the Director of Food and Agriculture showing for each restricted material, the type and quantity sold or transferred, other than to another registrant or to persons out of the state, and any other relevant information that the director may require.

This bill would delete such requirement.

(4) This bill would also delete obsolete provisions making references to repealed provisions.

(5) This bill would also, until January 1, 1978, provide that nothing in the Environmental Quality Act of 1970 shall be construed to apply to any action or activity governed by designated provisions regulating agricultural chemicals, fertilizing materials, and commercial feeds.

(6) This bill would provide that, for specified reasons, neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill.

Ch. 1224 (AB 4043) McVittie. Livestock drugs.

The existing law provides for the regulation of the use and labeling of livestock remedies and for the assessment of fees on such remedies to be expended for purposes of carrying out such provisions.

This bill would revise and restate, with various substantive changes, the provisions as livestock drugs provisions and, generally, would do all of the following.

(1) Specify the intent of the Legislature that such provisions regulating the use and labeling of livestock drugs are intended to assure such drugs are available to livestock producers for their use in protecting the health of the livestock population of the state, that such use will in turn benefit the general public by providing an abundant supply of wholesome food and fiber, and that none of such provisions are intended to prevent a livestock producer from administering livestock drugs safely and effectively when used in accordance with labeling directions of the remedy.

(1.5) Delete provisions exempting drugs for topical application from the livestock

remedies provisions.

(2) Redefine "livestock" to include, among other things, aquatic and amphibian species.

(3) Revise labeling requirements for livestock drugs and require, among other things, adequate instructions for adequate withdrawal periods and product disposal times to prevent any dangerous drug residues and products produced by livestock for human consumption.

(4) Increase the fee for registration of livestock drugs, for renewal of registration of livestock drugs, for the license for restrictive drugs, for the renewal of license for restricted drugs, and the penalty assessments for late payment of such fees.

(5) Make it unlawful for any livestock producer to sell or dispose of treated livestock or livestock products within the specified withdrawal period without first notifying the buyer that such livestock or products have been treated. This notification would be in a form prescribed by the Director of Food and Agriculture by regulation.

(6) Provide for the seizing and holding of any livestock drug, by the Director of Food and Agriculture, upon certain conditions.

(7) Provide for suspension or revocation of a livestock registration or restricted drug license for violation of the livestock drugs provisions.

(8) Provide for temporary or permanent injunction restraining violation of the livestock drugs provisions.

(9) Provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill for a specified reason.

Ch. 1225 (AB 4059) Maddy. Cattle: damages for taking or killing.

Existing law provides:

(1) That the measure of damages in any action for the wrongful taking, possessing, harboring, or transporting of cattle, for the driving of cattle off their usual range, or for the killing or slaughter of cattle, without the consent of the owner or the person lawfully in possession of the cattle, is four times the value of the cattle at the time of any such act, with interest from that time, plus compensation for the time and money properly expended by the plaintiff pursuing the cattle.

(2) For an award of exemplary damages in such action in a proper case.

(3) That any criminal prosecution for cattle theft shall not preclude or prevent the commencement of any civil action for damages, as specified.

The bill would exempt from such provisions for quadruple damages or exemplary damages, a person taking possession of cattle subject to a security agreement, if either a brand inspection has been requested, as specified, or such an inspection has been requested but due to an insufficient amount of time for such inspection, the brand inspector agrees to allow such cattle to be moved and inspected at their first destination prior to their commingling with other cattle.

Ch. 1226 (SB 1609) Berryhill. Grapes: reports.

The existing law provides for the time and manner of payment by processors, except specified nonprofit corporations when handling or dealing in their own farm products, to producers for farm products they receive.

This bill would do the following:

(1) Require every processor, including such nonprofit corporations under such circumstances, who crushes grapes to report (on forms of specified content) to the Director of Food and Agriculture by January 10 of each year, the total tonnage of grapes purchased within each grape pricing district, broken down by variety, price, including any bonuses or allowances, and sugar calculation, and the tonnage of each variety crushed and the average sugar content of each variety within each district.

(2) Require every such processor to furnish the director by February 25 of each year information concerning the final prices, including any bonuses or allowances, paid by variety and grape pricing districts to all growers holding reference price contracts in effect prior to January 1, 1977, which payments have not been previously reported.

(3) Specify that the grape pricing districts shall be the same as those used by the federal-state cooperative news services.

(4) Require a summary by the director of the preceding year's crush with specified information.

(5) Provide for confidentiality of information furnished by processors.

(6) Make unenforceable any grape purchase contract entered into on or after January 1, 1977, which does not provide for a final price, including any bonuses or allowances, to be set on or before the January 10 following the delivery of the grapes purchased.

The bill would also provide that, for a specified reason, neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill.

Ch. 1227 (SB 1769) Zenovich Table grapes.

The law presently levies an assessment, on fresh grapes shipped during the marketing season, for purposes of meeting obligations of the California Table Grape Commission. The assessment is fixed by the commission but may not exceed \$0.001924 per pound (\$0.1924 per 100 pounds) computed on net weight.

This bill would increase the maximum possible assessment to \$0.004347 per pound (\$0.4347 per 100 pounds).

It would also delete certain obsolete language.

Ch. 1228 (AB 1391) Sieroty. Sales of fine art.

Existing law does not provide for residual rights in, or rights to a commission upon a sale of, an original work of fine art.

This bill would provide that, whenever a work of fine art is sold and the seller resides in California or the sale takes place in California, the seller or his agent shall pay to the artist of such work of fine art, or to such artist's agent 5% of the amount of such sale within 90 days of the sale; and if the artist is not located by the seller or his agent within 90 days the money shall be deposited by the Arts Council in the Special Deposit Fund in the State Treasury. If the council is unable to locate the artist and the money is not claimed within 7 years it shall be transferred to the council's operating fund to fund programs of the council. Such payment would not be required where legal title to such work at the time of the initial sale is vested in the artist thereof, or where the resale of such work of fine art is for a price of less than \$1,000, where the resale of such work of fine art occurs after the death of such artist, where the resale gross sales price is less than the purchase price paid by the seller, or where there is a transfer or exchange involving a work of fine art where the fair market value is less than \$1,000.

Provision is made for withholding of such money due to the artist when the work of art is sold by specified persons, and for location and payment to the artist.

Ch. 1229 (AB 1923) Foran. State highways.

Under existing law, the Abandoned Vehicle Trust Fund consists of the \$1 service fee imposed on the registration, or renewal of registration, of vehicles, with a specified exception, during the 1973 calendar year to fund the abandoned vehicle program administered by the Department of the California Highway Patrol. Chapter 265 of the Statutes of 1974 transferred \$2,150,000 from that fund to the General Fund, and appropriated from the General Fund to the Department of Parks and Recreation that amount for hostel facilities and recreational trails. Sec. 19.3 of the Budget Act of 1974 also transferred from that fund to the General Fund \$1,900,000 to be available upon appropriation for such facilities and trails.

Under existing law, with specified exceptions, a penalty assessment is levied on all offenses involving a violation of the Vehicle Code or any local ordinance adopted pursuant to the code. Three-fourths of the assessment is deposited in the Driver Training Penalty Assessment Fund to be used exclusively to reimburse the General Fund for appropriations made therefrom to public schools for the laboratory phase of driver education.

This bill would transfer, from the following funds, \$17,700,000 to the State Highway Account in the State Transportation Fund for allocation by the California Highway Commission as follows.

(a) From the Abandoned Vehicle Trust Fund, \$7,700,000 to match available federal funds for the immediate construction of high-priority gap-closure projects on the National System of Interstate and Defense Highways.

(b) From the Driver Training Penalty Assessment Fund, \$9,900,000 to match other federal funds which may become available for highway construction. The commission

would be required to allocate both state and federal funds for high-priority gap-closure projects on the state highway system.

(c) From the Abandoned Vehicle Trust Fund, \$100,000 to create an environmental unit in the Department of Transportation for the sole purpose of expediting the environmental clearances of the projects funded by this bill.

The bill would require the environmental unit to submit to the President pro Tempore of the Senate, the Speaker of the Assembly, the Secretary of the Business and Transportation Agency, and the Director of Transportation a one-page weekly report on the progress made during the previous week in securing the environmental clearances for the projects funded by this bill, and a final report not to exceed 10 pages on its experience in securing the environmental clearances and its recommendations on how the environmental clearance process can be improved. Upon submission of the final report, the environmental unit would be abolished.

This bill would take effect immediately as an urgency statute.

Ch. 1230 (AB 2917) Chappie. Inheritance taxes: installment payments.

Existing Inheritance Tax Law provides that the inheritance tax is due and payable at the date of the transferor's death and is delinquent at the expiration of nine months from such date.

This bill would authorize a taxpayer to take the option, with the consent of the Controller, to make payment of such inheritance taxes in 10 annual installments where the tax would result in undue hardship to the taxpayer. Each installment would become delinquent on the expiration of the anniversary date of the date the tax becomes due and payable. Such tax would bear interest from the date it is due and payable until it is paid.

Ch. 1231 (AB 3645) Cullen. Administrative regulations.

(1) Existing law requires that at least 30 days prior to the adoption, amendment, or repeal of an administrative regulation, notice of the proposed action shall be filed with the Rules Committee of each house of the Legislature.

This bill would provide, instead, that such notice be filed with the Speaker of the Assembly rather than the Assembly Committee on Rules.

(2) Existing law requires that at least 30 days prior to the adoption, amendment, or repeal of an administrative regulation, notice of the proposed action, containing, among other things, a cost estimate prepared as prescribed by the Department of Finance, must be given to certain parties and agencies.

This bill would provide, instead, that such notice include an estimate, prepared as prescribed by the Department of Finance, of the cost to a local agency or school district which is required to be reimbursed.

Ch. 1232 (AB 3760) McVittie. Traffic offenses: trial: testimony and evidence.

Existing provisions of the State and Federal Constitutions guarantee to a defendant in a criminal action the right to be confronted by the witnesses against him.

This bill would specify that a court may, by rule, provide for the trial of any alleged infraction involving a violation of the Vehicle Code or any local ordinance adopted pursuant thereto. The bill would also specify that such rule may provide for testimony and other relevant evidence to be introduced in the form of a notice to appear or a notice of violation, issued pursuant to specified provisions of the Vehicle Code, and of a business record or receipt.

The bill would require that prior to the entry of a waiver of constitutional right pursuant to any rules adopted under such provisions, the court inform the defendant in writing of the nature of the proceedings and of his right to confront and cross-examine witnesses, to subpoena witnesses, and to hire counsel. The court would also be required to ascertain that the defendant knowingly and voluntarily waives such rights.

The bill would also require availability of written explanation of the procedures and rights, under such provisions, in a non-English language when more than 5 percent of the population in the jurisdiction speaks that language.

Ch. 1233 (AB 3964) Dixon. Public Employees' Retirement System: contracting agencies.

Existing Public Employees' Retirement Law generally prescribes the terms and conditions for the termination of a contracting agency's participation in the system.

This bill would authorize the board of administration to enter into an agreement with the governing body of a contracting agency, other than a housing authority, and the governing body of a city with a population in excess of 2,000,000 and maintaining a retirement system for termination of the contracting agency's participation in the system and inclusion of its employees in the city retirement system.

Ch 1234 (AB 4278) Lockyer. Disaster relief.

The existing law contains no express provisions specifically effectuating the purposes of the Federal Disaster Relief Act of 1974.

This bill would, whenever the Governor has proclaimed a state of emergency and the President has declared an emergency or a major disaster to exist in this state, authorize the Governor to, among other things: enter into purchases, leases, or other arrangements with any agency of the United States for temporary housing units to be occupied by disaster victims and make such units available to any political subdivision for such purpose; assist political subdivisions with respect to providing emergency housing by specified means, including the providing of funding by pledging of the credit of the state on such terms as he declares necessary under the circumstances, having due regard for current financial obligations of the state; and issue regulations temporarily suspending or modifying, for a period not to exceed 60 days, any public health, safety, zoning, or intrastate transportation law, ordinance, or regulation.

In addition, this bill would, whenever the President, at the request of the Governor, has declared a major disaster to exist in the state, authorize the Governor to, among other things: accept, subject to certain conditions, grants from the federal government; enter into agreements, with the federal government, subject to certain conditions, pledging the state to participate in the funding of grants; make financial grants, subject to certain conditions, and to engage in other specified activities relating to the relief of local agencies where a major disaster has occurred.

This bill would provide that any person who fraudulently or willfully makes any misstatement of fact in connection with an application for financial assistance shall, upon conviction of each offense be guilty of a misdemeanor punishable by a fine of not more than \$5,000, or imprisonment for not more than 1 year, or both.

This bill would expressly provide that there are no state-mandated local costs in the act that require reimbursement to local agencies.

This bill would take effect immediately as an urgency statute.

Ch. 1235 (AB 4509) Arnett. Developmental disabilities: sensory motor training program.

Existing law requires the State Department of Health, within the limitations of funds appropriated, to contract for the establishment of regional diagnostic, counseling, and service centers for developmentally disabled persons and their families. Regional centers are authorized, among other things, to purchase required out-of-home prehospital and posthospital care for developmentally disabled persons and are required to provide state funds to vendors of services to the developmentally disabled.

This bill would appropriate \$140,000 † to the State Department of Health for expenditure in the 1976-77 fiscal year to contract with appropriate parties for, or to allocate to such regional centers for contracting with appropriate parties for, continuation of a sensory motor training program for developmentally disabled persons. In the event federal or foundation funds are provided for this program, the amount available from such appropriation shall be reduced equal to the amount of such funds.

This bill would take effect immediately as an urgency statute.

Ch. 1236 (SB 1405) Garcia. Medi-Cal.

Under the existing Medi-Cal Act there are no provisions specifying a durational time that a recipient may be temporarily absent from a long-term care facility.

This bill would authorize a developmentally disabled recipient to be temporarily absent from a skilled nursing facility or intermediate care facility for not exceeding 30

† Appropriation reduced to \$70,000 by action of the Governor.

days per year and authorize Medi-Cal reimbursements during such temporary absence.

This bill would appropriate \$61,000 from the General Fund to the Health Care Deposit Fund to carry out the provisions of this act from the operative date of this act to July 1, 1977.

This bill would take effect immediately as an urgency statute.

Ch. 1237 (SB 1461) Nejedly. Corrections.

Existing law establishes the Board of Corrections with specified powers and duties relative to the study of crime and the establishment of minimum standards for local detention facilities.

This bill would revise the membership of the board and would add specified powers and duties with respect to the study of standards and training of correctional personnel.

Ch. 1238 (SB 1511) Alquist. Public social services.

Under the current state supplementary program for the aged, blind and disabled, and the Medi-Cal Act, the counties pay a specified yearly share of the cost of such programs. The specified yearly share is adjusted annually by a formula determined pursuant to the county's taxable assessed value of assessed property.

This bill excludes from such formula commencing with the 1976-77 fiscal year any assessed valuation upon tax receipts allocated to a redevelopment agency under the Community Development Law.

The bill would also provide for no reimbursement for local agencies pursuant to Section 2231 of the Revenue and Taxation Code nor would any appropriation be made by the bill for a specified reason.

Ch. 1239 (SB 1537) Nejedly. Temporary emergency juvenile detention facilities. Youth Authority contracts.

A provision of law, substantially similar to that proposed by this act, became inoperative on January 1, 1976.

This bill would add a provision to authorize the Director of the Youth Authority, with the approval of the Director of Finance, to enter into contracts with a county to furnish temporary emergency detention facilities and necessary incidental services for certain minors held in custody for violating laws defining crimes, in specified circumstances, with county reimbursement of the state, as specified.

This bill would also require that when a person is detained in a Youth Authority facility located other than in the county which has contracted for services, the county shall provide adequate consultation between such person and his attorney. If the minor's parent or guardian lacks adequate private means of transportation and if the minor has been detained in the facility for more than 10 days it also would require the county to make reasonable efforts to provide for visitation between the minor and his parents.

The bill provides that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to specified provisions of this act.

The Budget Act of 1976 appropriated \$330,000 to the Department of the Youth Authority for contracting with the Sugar Ray Youth Foundation for correctional services to wards and parolees.

This bill would, in lieu of such appropriation, appropriate the same amount (\$330,000) to the department for contracting with the foundation for juvenile delinquency prevention services and programs. The bill would specify that the money so appropriated in the 1976 Budget Act shall not be available for expenditure.

This bill would take effect immediately as an urgency statute.

Ch. 1240 (SB 1702) Marks. Insurance: automobile insurance premiums.

Existing law does not regulate automobile insurance in the manner provided in this bill.

This bill would require an insurer or its agent, when issuing a policy of specified automobile insurance, to deliver to the named insured a notice explaining the manner in which the insurer's rating plan provides for an increase in the premium, based on accidents or convictions of a Vehicle Code violation involving the safe operation of a motor vehicle. Each such insurer or its agents would be required to inform the named

insured, at least 20 days prior to the renewal date of the policy, of the insured's right to be informed, on request, of any premium rate increase based on such an accident or conviction of the named insured or other operator of the motor vehicle.

Every insurer would be required, as a part of specified renewal offer after March 1, 1977, to deliver to all insureds named in such policies on March 1, 1977, a notice explaining the manner in which the insurer's rating plan provides for an increase in the premium, based on such accidents or convictions. Such requirement would terminate March 1, 1978

Ch. 1241 (SB 1712) Dunlap. Veterans: farm and home purchases.

Existing law provides that rate of interest on a veteran's farm and home purchase does not apply to assignees of purchasers who are not veterans and regulations of the Department of Veteran's Affairs require the former spouse of a veteran who continues to occupy the property after marriage dissolution or legal separation to pay an increased rate of interest.

This bill would instead require the department to recognize the nonveteran former spouse as the sole purchaser if there are dependent children occupying the property and if the former spouse actually resides in the home and continues to make the same payments required by the purchase contract.

Ch. 1242 (SB 1754) Beilenson. Prophylactics.

Under existing law, the sale of prophylactics by means of a vending machine or mechanical device is unlawful and a misdemeanor.

This bill would permit the sale of prophylactics by means of a vending machine or mechanical device. It would provide for the seizure of such mechanical devices or vending machines for violation of specified provisions. It would require specified identification to be displayed on such mechanical devices or vending machines. It would provide that such mechanical device or vending machine may be placed or located only in a restroom open to the public.

Ch. 1243 (SB 1845) Aikist. Seismic Safety Commission. earthquakes

(a) Under the existing law, the Geologic Hazards Technical Advisory Committee advises the State Mining and Geology Board in the Department of Conservation and the State Geologist on the board's and the State Geologist's carrying out of their powers and duties relating to certain responsibilities with respect to information pertaining to earthquake and other geologic hazards.

This bill would abolish the Geologic Hazards Technical Advisory Committee and substitute the Seismic Safety Commission as to these advisory duties.

(b) Under existing law, the Division of Mines and Geology is required (1) to establish and carry on a prescribed strong-motion instrumentation program, and reduce fees imposed against building permits with the advice of an advisory board appointed by the State Geologist, and (2) to purchase and install strong-motion instruments in California with the advice of such board.

The bill would abolish the advisory committee to be appointed by the State Geologist and provide that the Seismic Safety Commission would take over its advisory responsibilities.

Ch. 1244 (SB 1975) Holmdahl. Dumbarton Bridge.

Under existing law, the new Dumbarton Bridge may, under specified conditions, include new approach connections to Route 101.

This bill would specifically authorize construction of the bridge, require a specified western approach be a part of the new bridge, provide for specified connections to the approach, and provide the bill would not preclude the Department of Transportation from changing the location of any approach or approach connection, or from adding any additional approach or approach connection, with the consent of the local agencies through which it passes and with the consent of the San Francisco Bay Conservation and Development Commission

This bill would take effect immediately as an urgency statute

Ch. 1245 (AB 3428) Fazio. Marketing orders: creating and increasing markets

The California Marketing Act of 1937 provides authority for the Director of Food and Agriculture to issue marketing orders which regulate the marketing, processing, distribution, or handling of agricultural commodities

A marketing order may contain provisions for the "advertising and sales promotion," as defined, of any commodity to create, maintain, or enlarge markets, or prevent, modify, or remove trade barriers which obstruct the free flow of any commodity to market. Such provisions, directed toward increasing the sale of any commodity, may not make reference to any private brand or trade name used by any handler with respect to the commodity regulated by such order, except in the case of wine if other than brand names or private names are unavailable.

The bill would, until May 31, 1978, include within the definition of "advertising and sales promotion" activities for the modification or removal of trade barriers that restrict the free flow of a commodity to market, including negotiation with the federal government and foreign governments, and the allowance of reimbursement payments to offset commodity transportation costs to foreign markets.

The bill would, until January 1, 1979, also permit the inclusion within a marketing order of provisions for plans for advertising and sales promotion to maintain, or create, new or larger international foreign markets for any commodity grown in California, provided that effective January 1, 1978 the commodity indicate in English on the label of such commodity that its origin is California.

The bill would take effect immediately as an urgency statute

Ch. 1246 (SB 1395) Joint Committee on Job Development. Synthetic fuels solid waste conversion.

(1) Existing law provides for the State Solid Waste Management Board of specified members, including one representative of the public [.] * appointed by the Governor [, and] * who has specialized education and experience in environmental quality and pollution control, and certain state officers or their deputies who serve ex officio. Existing law provides that members of the board receive necessary expenses and \$100 per day for meetings of the board.

This bill would increase the board by including three representatives of the public appointed by the Governor, delete the specialized education and experience requirement of such members, and delete the requirement that the member appointed by the Speaker of the Assembly be a registered civil engineer for a specified reason. The bill would provide for a full-time chairman designated by the Governor, subject to the advice and consent of a majority of the members ~~elected to~~ [of] * the Senate, and paid a prescribed annual salary. The bill would remove the per diem payment to the chairman and the state officers serving ex officio, for attendance at meetings of the board

(2) Existing law requires the State Solid Waste Management Board to adopt, by January 1, 1975, the State Solid Waste Resources Recovery Program, which is required to include demonstration projects on the recovery of useful energy from solid wastes

This bill would require the board to select, not later than July 1, 1977, and, after consulting with interested cities and counties, the State Energy Resources Conservation and Development Commission, the Department of Water Resources, the State Lands Commission, the State Air Resources Board, and the State Water Resources Control Board, one or more sites for the establishment of facilities for the conversion of solid waste into energy, synthetic fuels, or for the recovery of materials based upon certain feasibility information. The State Energy Resources Conservation and Development Commission and the California Pollution Control Financing Authority would be required to assist the secretary in identifying sources of funding and developing a plan for financing the facilities.

The board would be required to submit the plan and recommendations to the Legislature by December 31, 1977

The bill would also require the board to consult with the State Air Resources Board, the State Water Resources Control Board, and the State Energy Resources Conservation and Development Commission and cause construction and operation specifications to be prepared.

The facilities would be required to be operational not later than January 1, 1981, and would be required to be constructed and operated under agreements with the selected

cities, counties or other agencies having jurisdiction over the site or sites selected and in accordance with the board's specifications.

The bill would also require the board to determine, after consultation with the State Energy Resources Conservation and Development Commission and the State Air Resources Board, the economic feasibility of developing a research and demonstration project for conversion of agricultural wastes to synthetic fuel, and the bill would require, if economically feasible, the board to undertake the construction and field demonstration of such a system, and to complete such field demonstration by July 1, 1979.

The bill would reappropriate \$250,000 to the board for expenditure during the 1976-77 and 1977-78 fiscal years from the sum appropriated by the Budget Act of 1976 for expenditure in support of the board in the 1976-77 fiscal year for such [the] * research and demonstration project [utilizing a mobile converter, as specified] *, and would require the State Energy Resources Conservation and Development Commission to consider an amount, not to exceed \$250,000 and as identified by the feasibility study, in their 1977-78 fiscal year budget request for such demonstration project.

The bill would declare state policy and legislative intent regarding the conversion of solid and agricultural wastes into [energy.] * synthetic fuels [, and recovery of materials] *.

Ch. 1247 (AB 3080) Berman. Trusts; restraints of trade.

Existing law does each of the following:

(a) Prohibits the disqualification of a person from entering or pursuing a business, profession, vocation, or employment because of sex, race, creed, color, or national or ethnic origin.

(b) Declares all persons to be free and equal, irrespective of sex, race, color, religion, ancestry, or national origin, and entitled to full and equal accommodations, advantages, facilities, privileges, or services in all business establishments.

(c) Prohibits discrimination because of race, color, religion, national origin, or ancestry in housing accommodations, or in the terms, conditions, or privileges of any publicly assisted housing accommodations.

(d) Declares that the opportunity to seek, obtain, and hold employment without discrimination because of race, religious creed, color, national origin, ancestry, physical handicap, or sex is a civil right and prohibits employers generally from refusing to hire, employ, or train persons because of race, religious creed, color, national origin, ancestry, or sex.

(e) Prohibits discrimination in the employment of persons upon public works because of race, color, national origin or ancestry, or religion.

(f) Guarantees equal protection of the law in respect to state action.

This bill, in addition, would make it an unlawful trust and an unlawful restraint of trade for any person, business, or governmental agency to grant or accept any letter of credit, or to enter into any contract for the exchange of goods or services, which contains any provision requiring discrimination on the basis of sex, race, color, religion, ancestry, or national origin, or on the basis of a person's lawful business associations; or to refuse to grant or accept any letter of credit, or to refuse to enter into any contract for the exchange of goods or services, on the ground that it does not contain such a discriminatory provision.

The bill would also prohibit, as an unlawful conspiracy against trade, the exclusion of any person from a business transaction on the basis of a policy expressed in any document or writing and imposed by a third party where such policy requires discrimination against that person on the basis of the person's sex, race, color, religion, ancestry or national origin or on the basis that the person conducts or has conducted business in a particular location.

A violation of such provisions would constitute a crime.

This bill would provide that no appropriation is made for reimbursement of local agencies for costs incurred by them pursuant thereto because the Legislature recognizes that during any legislative session a variety of changes to laws relating to crimes and infractions may cause both increased and decreased costs to local government entities and school districts which, in the aggregate, do not result in significant identifiable cost changes.

Ch. 1248 (AB 1530) McAlister. School sites: surplus land; parks.

Existing law provides for a listing of priorities for the sale or lease with an option to purchase at fair market value of excess property by school districts. First priority is to various state and local agencies for use for park or recreational purposes or for open-space purposes. Second priority is to various state and local agencies, and third priority, prior to disposal in any other manner authorized, is to the former owner.

This bill would also permit the governing board of any school district to sell or transfer a surplus school site to a park district, city, or county in which the district is situated for less than fair market value for use or partial use for park, recreational, or open-space purposes.

This bill would require the offer to sell or transfer to be made in writing and remain open for not less than 60 days as specified.

This bill would authorize the sale or transfer to be made for part cash and other valuable consideration, or for other valuable consideration, as deemed appropriate by the governing board of the school district.

Ch. 1249 (AB 3651) Craven. Kindergarten: length of schoolday

Currently, no pupil shall be kept in kindergarten in any day more than 4 hours exclusive of recesses.

This bill would make such a law inapplicable to counties of the third class.

Ch. 1250 (AB 3694) Siegler. Schools: teaching credential: designated subjects.

Under current law, a holder of a designated subjects teaching credential, among others, must pass an examination or complete two semester units on the provisions and principles of the United States Constitution.

This bill would provide that such requirement does not apply to the designated subjects teaching credential authorizing part-time employment only.

Ch. 1251 (AB 3747) Egeland. Certificated personnel.

(1) Existing law authorizes the Commission for Teacher Preparation and Licensing to appoint panels of educators to serve as members of visiting teams to institutions and school districts having teacher education programs.

This bill authorizes lay persons to be members of such panels.

(2) Existing law authorizes a teacher licensed pursuant to the Teacher Preparation and Licensing Law of 1970 to be assigned to teach any single subject class in which he or she has designated preparation. Such authorization expires June 30, 1975.

This bill would delete such expiration date.

Ch. 1252 (AB 3984) Meade. Education. community colleges.

Under an existing law which became effective January 1, 1976, there is exempted from the community college nonresident tuition fee requirement, a student who would have qualified as a resident of the district but for the fact that the student resided outside the state for a period of not more than four years due to a job transfer at the request of the student's employer or the employer of the student's parent.

This bill, which would apply retroactively to January 1, 1976, would make such exemption available to students whose absence from the state was due to a job transfer of the student's spouse.

The bill would require the Board of Governors of the California Community Colleges to adopt uniform procedures for refunding tuition fees which have been collected and which are exempted by this bill.

This bill would appropriate \$5,000 to the State Controller pursuant to Section 2231 of the Revenue and Taxation Code to reimburse school districts for costs incurred by them pursuant to this act.

It also would take effect immediately, as an urgency statute.

Ch. 1253 (AB 4127) Badham. School districts: contracts

Existing law does not contain a general authorization for school districts to contract directly for electromechanical or electronic data-processing work or related services to be performed.

This bill would enact such authorization and would repeal provisions authorizing governing boards of school districts and community college districts to contract for such

work under certain limited circumstances.

Ch. 1254 (AB 4149) Lewis. Junior high schools: tuition

(1) Under current law, elementary school districts the pupils of which attend the 7th and 8th grade of a junior high school in a high school district are required to pay tuition to the high school district.

This bill would permit any high school district with an average daily attendance of 2,000 or less, exclusive of average daily attendance of pupils in the 7th and 8th grades, to levy and collect a tax to pay the cost of such tuition instead of charging such tuition if the assessed valuation per pupil in one of the component elementary school districts is more than 5 times the average assessed valuation per pupil in the other component elementary school districts. The bill would establish separate junior high school revenue limits for such high school districts and would provide for the revenue limit of their component elementary school districts to be increased or decreased so as to provide the amount of money which was available to such districts prior to the establishment of separate junior high school revenue limits. Such revision would take place only after an affirmative vote of the electors of the district. This bill requires such an election.

(2) Existing law grants the homeowners' property tax exemption in the amount of \$7,000 of the full value of qualified dwellings and continuously appropriates state funds for subventions to local government to compensate for property tax revenues lost by reason of such exemption.

This bill would increase the amount of such appropriation by authorizing an additional property tax.

(3) This bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by the bill for a specified reason.

(4) This bill would take effect immediately as an urgency statute.

Ch. 1255 (AB 4412) Rosenthal. Schoolteachers: specialist credentials.

Currently, the Commission for Teacher Preparation and Licensing may issue certain special education specialist credentials to an applicant who has a specified valid regular California teaching credential and who received certain specialized advanced training, which was commenced on or after the 1964-65 school year and completed on or before September 15, 1977, or who acquired such specified training and specified experience, in the specialization, commencing on or after September 1, 1970. Applications for such credentials are required to be made by September 15, 1977.

This bill would change the September 15, 1977, date with respect to applicants for special education specialist credentials to September 15, 1978.

Ch. 1256 (AB 4524) Arnett. State lands: disposition.

[The existing law authorizes the Director of General Services, subject to certain conditions, to sell a specified parcel of real property and any water company stock held in connection therewith. Money received from the sale, less the costs of the sale, is required to be deposited in the Capital Outlay Fund for Public Higher Education for capital outlay, by the Trustees of the California State University and Colleges.] *

~~The~~ [This] * bill would [delete such provisions and] *, subject to certain conditions, authorize the Director of General Services, with the approval of the State Public Works Board, to sell, lease, or negotiate an option to purchase ; ~~specified~~ [such] * real property and any water company stock held in connection therewith [and certain other real property and any water company stock held in connection therewith] *. The bill would provide for the deposit of any money received from the sale, less the costs of the sale [, and of any money received from the lease] *, in the Capital Outlay Fund for Public Higher Education for capital outlay, by the Trustees of the California State University and Colleges

In addition, this bill would take effect immediately as an urgency statute.

Ch. 1257 (SB 1427) Behr. Schools: holidays.

The existing law makes September 9th known as "Admission Day" a state holiday, a holiday for public schools, and a holiday for the purposes of provisions relating to classified employees of school districts.

This bill would remove September 9th as a holiday for the purposes pertaining to the public schools and classified employees.

Under existing law governing boards of school districts are authorized to designate days as holidays for good reason.

This bill would provide that if a governing board does not designate September 9th as a holiday for classified employees, the school district shall provide a substitute holiday.

Ch. 1258 (SB 631) Rains. Elections: indexes of registration.

Existing law provides that upon demand, the county clerk must provide, at a specified price, 2 copies of the appropriate indexes of registration to a candidate to be voted for within a county.

This bill would define a candidate for such purposes as including any person who so declares in writing, under penalty of perjury, naming the office.

Ch. 1259 (SB 718) Song. Local agencies: public access to Pacific Ocean.

The existing law prohibits a local agency from selling, leasing or otherwise transferring real property owned by it and lying between the high water line of the Pacific Ocean and the public street nearest the Pacific Ocean without reserving to the public a right of access over such real property, unless an alternate route which gives equal or greater public access to the ocean in the same vicinity is made available by the local agency or its grantee.

This bill would require that any public access right or rights provided pursuant to this provision be expressly described in any instrument of sale, lease, or transfer of the real property. The bill would specify that its provisions are not intended to affect in any way public rights or claims of any sort whether proven or not, nor is this amendment intended to alter or affect in any way existing law with respect to public rights or claims, including any rights or claims arising from the doctrine of implied dedication and prescriptive rights.

Ch. 1260 (SB 1273) Holden. Elections: mass mailings.

Existing law provides that elected state officers may not send out a mass mailing at public expense after filing a declaration of candidacy for any office.

This bill provides that, in addition, an elected city, county, or district official, including an official of a chartered city or chartered county may not send out a mass mailing at public expense to any person residing in the jurisdiction from which he or she was elected or to which he or she seeks election, after he or she has filed a declaration of candidacy or other paper evidencing his or her candidacy for any local, state, or federal office. "Mass mailing" would be defined as identical or nearly identical pieces of mail in an amount which, in any month, exceeds 1% of the population of the jurisdiction from which the official was elected, or which, in the 30 days preceding a local election, exceeds 200 pieces with specified exceptions.

The bill would set forth the findings of the Legislature that the act constitutes a matter of statewide concern and shall therefore apply to chartered cities.

Ch. 1261 (SB 1486) Rains. Insurance: credit life and disability

Existing law permits the Insurance Commissioner to promulgate rules and regulations to effectuate the provisions relating to credit life and disability insurance.

This bill would require the commissioner to adopt regulations setting forth standard forms for such insurance policies, certificates, notices, applications, endorsements, and riders. Use of such forms would be mandatory, with certain exceptions.

This bill would additionally transfer certain functions relating to approvals relative to credit life and disability insurance from the Commissioner of Corporations to the Insurance Commissioner.

Ch. 1262 (SB 1628) Greene. Apprenticeship training: regional occupational centers.

The law currently contains provisions relating to the training of apprentices for apprenticeable occupations. Such training involves participation in an approved program of training through employment and education in related and supplemental subjects.

Existing law also authorizes school districts and county superintendents of schools to establish regional occupational centers and programs to provide qualified students with vocational and technical training.

This bill would provide that a graduate of a training program in a particular apprenticeship occupation of a vocational education program meeting certain standards and criteria may receive credit towards the term of an apprenticeship for such occupation if the program is jointly established and approved by a school district, a public entity conducting a regional occupational center or program, or a private postsecondary vocational school accredited by certain regional or national accrediting agencies and the local joint apprenticeship committee.

Ch. 1263 (SB 1806) Presley. Subdivision Map Act: parcel maps.

Existing law defines "subdivision" as meaning, among other things, the division of any improved or unimproved land as a unit or as contiguous units for the purpose of sale, lease, or financing, whether immediate or future, and provides that any conveyance of land to a governmental agency, public entity, or public utility shall not be considered a division of land for purposes of computing the number of parcels.

This bill would except leases of agricultural land for agricultural purposes, as defined, from the definition of "subdivision", and would provide that any conveyance of land to a governmental agency, public entity, or public utility shall not be considered a division of land for any purpose.

Existing law requires that parcel maps show the location of each parcel and its relation to surrounding surveys. The location of any remainder of the original parcel is required to be shown, but need not be shown, as a matter of survey, but only by reference to the existing record boundaries of such remainder, if such remainder has a gross area of 5 acres or more. In addition, subject to specified conditions, a certificate, signed and acknowledged by all parties having any record title interest in the real property subdivided, and consenting to the preparation and recordation of the parcel map, is required under existing law, except as otherwise provided by local ordinance.

This bill would revise such provisions to provide that the location of any remainder of the original parcel must be indicated, rather than shown, but need not be indicated as a matter of survey, but only by deed reference to the existing record boundaries of such remainder, if such remainder has a gross area of 5 acres or more. This bill would also revise the exception to the certificate requirement to provide that less inclusive requirements may be provided by local ordinance, rather than making such exception "as otherwise provided by local ordinance."

This bill would incorporate additional changes in Section 66445, Government Code, proposed by Assembly Bill No. 2842, to be effective only if Assembly Bill No. 2842 and this bill are both chaptered and become effective on or before January 1, 1977, and this bill is chaptered last.

Ch. 1264 (SB 1857) Garcia. Court interpreters and translators.

Under existing law, the maximum fees which may be received by interpreters and translators at coroner's inquests, and grand jury and court proceedings is \$50 per day and \$35 for ½ day.

This bill would delete such maximum fees.

Ch. 1265 (SB 1894) Nejedly. Motor vehicles sales.

Existing law provides that persons liable under a conditional sale contract covering a motor vehicle shall be liable for any deficiency following the sale of the repossessed motor vehicle only if a prescribed notice of intent to sell the repossessed motor vehicle is given, by certified mail, return receipt requested, within 60 days of repossession. The required notice must be directed to the address of the persons shown on the contract unless such persons have notified the holder of the contract in writing of a different address.

This bill would provide that a required notice of disposition be directed by either certified mail, return receipt requested, or first-class mail, postage prepaid, to the last known address of the persons liable on the contract in the case of either repossession or surrender of the motor vehicle. This bill would make clarifying changes in the provisions governing the information to be disclosed in the notice and would require that the notice disclose, in addition, (1) that the right of redemption exists for 10 days following the giving or mailing of the notice; (2) that there is either a conditional right to reinstate the contract until the expiration of 10 days following the giving or mailing

of the notice and the condition precedent to such right, or that there is no such right, and the reasons therefor; (3) that, upon written request, the seller or holder shall extend either or both the redemption or reinstatement period, as specified, for an additional 10 days; and (4) that, upon written request, the seller or holder shall furnish a written accounting after resale of the motor vehicle.

The bill would require the seller or holder to furnish the persons liable with the proper form, as specified, for use in applying for an extension of the redemption period or reinstatement period.

Existing law makes no provision for an accounting by the holder following the resale of a repossessed vehicle.

This bill would require that, unless a written accounting is automatically provided to the buyer within 45 days after the vehicle's disposition, the seller or holder shall furnish a written accounting, within 45 days following a written request, to all persons liable on the contract who request such accounting of the vehicle's disposition within one year thereafter and would require that such accounting itemize the gross proceeds from the disposition of the motor vehicle, the expenses incurred in retaking and holding the vehicle and in preparing for and conducting the sale, and the satisfaction of indebtedness secured by any subordinate lien or encumbrance on the vehicle. In all sales resulting in a surplus, the seller or holder would be required to furnish an accounting whether or not requested and to return to the buyer within 45 days after the sale any surplus realized.

Existing law precludes the holder of a conditional sale contract covering a motor vehicle from accelerating the maturity of any or all of the amount owing under such contract or repossessing the motor vehicle in the absence of a default by the buyer in the performance of any of his contract obligations.

This bill would preclude the seller or holder following repossession a [or the] * voluntary acceptance of the vehicle's surrender after a buyer default from accelerating the maturity of any part or all of the amount owing on the contract, prior to the expiration of a right of reinstatement, unless a good faith determination has been made by the seller or holder that one or more specified conditions exist. Denial of reinstatement would bar a right to a deficiency where the existence of the specified conditions are not proved by the holder.

This bill would limit the buyer's right to reinstatement to once in any 12-month period and twice during the term of the contract.

This bill would specify the varying responsibilities of the buyer or any other person liable on the contract for specified defaults [to reinstate the contract as respects curing events of default] * which constituted grounds for repossession of the motor vehicle or [which] * occurred subsequent to repossession.

This bill would authorize the holder to add to the contract balance and have it secured by the motor vehicle any amounts advanced by the holder to procure insurance on the vehicle where the buyer is obligated under the contract to maintain insurance and fails to do so or requests the holder to do so, provided the holder notifies the buyer in writing of the option to repay such amounts in any one of specified ways. This bill would establish the maximum finance charge which may be imposed by the holder on the amounts advanced for insurance on the vehicle.

This bill would provide that its provisions are prospective only.

Ch. 1266 (SB 1915) Zenovich. Insurance: underwritten title companies.

Existing law requires underwritten title companies to deposit with the Insurance Commissioner the sum of \$7,500 for each county in which such company transacts escrow business. Such deposit is required to be maintained for 2 years after the company ceases to engage in the escrow business.

This bill would increase the retention period to 4 years, and would require the return of such deposits to the depositing company following such 4-year period when, in the determination of the commissioner, there are no claims against the company arising out of its escrow transactions. Provision would be made for an earlier return of the deposit in designated circumstances.

This bill also incorporates the changes to Section 12389 of the Insurance Code proposed by Senate Bill No. 1976, to be operative only if this bill and Senate Bill No. 1976 are both chaptered and become effective January 1, 1977, both amend Section 12389, and this bill is chaptered after Senate Bill No. 1976

Ch. 1267 (SB 1950) Alquist. Claims against public entities.

Existing law does not provide for nonliability on the part of public entities for damage resulting from actions taken or not taken by public entities or employees in response to an earthquake prediction.

This bill would so provide. The Governor would be permitted to warn the public of such a prediction and the state would not be liable for any injury resulting from a decision to issue or not issue such a warning. The bill would take effect immediately as an urgency statute.

Ch. 1268 (SB 1994) Behr. Judgments.

Existing law permits the judgment creditor of a defendant to whom money is owing and unpaid by the state, any local public entity, or public corporation to file with such appropriate entity a duly authenticated abstract or transcript of the judgment for the payment of money together with an affidavit stating the exact amount then due, owing, and unpaid as a means of initiating a procedure for the collection of that amount from such public entity out of wages or salary of the debtor. Existing law requires the judgment creditor to pay to the entity with whom the abstract or transcript and affidavit is filed a fee of \$2.50.

This bill would increase the required fee to \$6.

Ch. 1269 (SB 2035) Behr. State Public Defender's powers.

Existing law specifies various duties for the State Public Defender, including primary responsibilities of representing persons who are financially unable to employ counsel in specifically enumerated matters.

This bill would add to such duties by requiring the State Public Defender, as a primary responsibility, to represent state prison inmates financially unable to employ counsel and charged with crimes in cases where the county public defender has refused to represent the inmate because of conflict of interest or other legal reasons.

Existing law permits the State Public Defender to decline to represent certain persons under specified conditions.

This bill would not permit the State Public Defender to decline to represent state prison inmates under those specified conditions.

Ch. 1270 (SB 2127) Collier. Transportation.

(1) Under the Urban Mass Transportation Act of 1964, as amended by the National Mass Transportation Assistance Act of 1974, for an urban area with a population of 200,000 or more, the designated recipient is the statewide or regional agency that is responsible under state law for the financing, construction, and operation of public transportation services in that area.

This bill would authorize the Governor, the Secretary of the Business and Transportation Agency, and the Department of Transportation (hereafter referred to as the department), in accordance with federal law and rules and regulations, to take various actions to secure federal funds for mass transportation programs and projects.

(2) Under existing law, the department may enter into agreements with public entities to provide them assistance in exclusive public mass transit guideway projects.

The bill would authorize the department to undertake mass transportation research, development, and demonstration projects and perform technical studies related thereto in accordance with applicable state or federal law.

(3) The California Bikeways Act presently permits certain funds in the State Transportation Fund administered by the department to be used, where feasible, to apply for and match federal grants or loans. The act does not, however, specifically authorize applications for federal grants or loans for bicycle programs and projects.

The bill would authorize the department to enter into agreements, execute documents, establish and manage accounts or deposits, and take any other action that may be appropriate to receive and expend federal funds in connection with state or local agency bicycle programs and projects. The bill would specifically authorize the department to undertake demonstration projects and perform technical studies.

(4) Under the Federal Aid for Off-System Roads Act, at least 98¼% of the funds received by the state pursuant to the Federal Off-System Roads Program are allocated to the counties, except San Francisco, for expenditures on county roads not included in

any federal-aid highway system.

The Federal-Aid Highway Act of 1976 redesignated that program as the Safer Off-System Road Program and authorized the funds to be used also on city streets not included in any federal-aid highway system.

The bill would redesignate the act as the Federal Aid for Safer Off-System Roads Act, allocate the funds to cities also, and make other related changes.

The bill would reallocate any lapsed funds of a county (fund not claimed, or which could not be allocated because required documents for a project were not submitted in time, by the county or cities therein) to other counties and cities in the same county group (as used in allocating state highway construction funds for the north-south split) for their safer off-system road projects, rather than for such projects on the state highway system in the county group.

(5) The bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to this bill.

(6) The bill would take effect immediately as an urgency statute.

Ch. 1271 (AB 1655) McVittie. Contracts: home improvements; finance charges for retail sales; industrial development loan.

(1) Existing law requires that home improvement contracts where the aggregate price exceeds \$500 be evidenced by a writing. The writing is required to include specified identifying and descriptive information and a schedule of payments. Such a schedule may not provide for the contractor to receive in excess of 100% of the value of the work performed at any time.

This bill would exclude finance charges from computation of the value of the work performed. The bill also would provide that certain provisions relating to finance charges imposed by retail sellers in retail installment contracts and accounts are not applicable to home improvement contracts. The bill would state that such changes are declaratory of existing law and that any interpretation or construction regarding them shall not apply to the law that will take effect upon the repeal of such changes. Such changes would remain in effect only until January 1, 1978, and would be repealed as of that date.

(2) Existing provisions of the Zenovich-Moscone-Chacon Housing and Home Finance Act authorize the Department of Housing and Community Development to make grants or loans in connection with encouraging research and demonstration projects to develop new and better techniques, including rehabilitation, for increasing the supply and quality of housing for persons and families of low or moderate income. Notwithstanding such provisions, the Budget Act of 1976 authorized the allocation of \$60,000 to the department for a loan to the City of Calexico for technical assistance in the development of an industrial park in that city.

This bill would provide, notwithstanding such provisions of the Budget Act of 1976, that such a loan may be made by the department to an unspecified community nonprofit agency, instead of the city.

(3) This bill would make various technical changes.

(4) The bill would take effect immediately as an urgency statute.

Ch. 1272 (AB 1713) Mori. Youth Authority.

Existing law provides that a person honorably dismissed from a school under the jurisdiction of, or from the control of, the Youth Authority is thereafter released from all penalties and disabilities resulting from the offense or crime for which he was committed.

This bill would: specify that the penalties and disabilities such a person would be released from include, but are not limited to, any disqualification created by law for any employment or occupational license, or both; provide that such persons shall not be eligible for appointment as a peace officer employed by any public agency, other than the Department of the Youth Authority, if such appointment would otherwise be prohibited by a specified statute

Ch. 1273 (AB 1805) MacDonald. Water district elections.

(1) Under existing law resident registered voters may vote in county water district elections, but a special provision, applicable only to the Pleasant Valley County Water District, restricts voting in such district to owners of land.

This bill would specify voting rights of multiple owners in such district, authorize voters or specified legal representatives to vote at district elections either in person or by proxy appointed as specified, require the county assessor, upon request of the county clerk, to provide within 45 days a certified list of every owner within the district, and specify related matters.

(2) Under existing law a special election on the formation of a proposed improvement district of a municipal water district must be called upon presentation of a petition signed by not less than 10% of the voters of the proposed improvement district.

This bill would authorize, in addition to the provisions of existing law and in the Casitas Municipal Water District, the board of directors to call a special election on the question of the formation of such an improvement district.

(3) The bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the act.

Ch. 1274 (AB 2056) Siegler Public transportation elderly and handicapped persons

Under the Mills-Alquist-Deddeh Act, until January 1, 1979, a county which is not located in a transit district and which has a population of under 100,000, or a city therein, may file a claim with the transportation planning agency for payments to a common carrier, a nonprofit corporation, or an operator to provide transportation services to the elderly, the handicapped, or any group requiring special transportation assistance as determined by the transportation planning agency.

This bill would authorize, until January 1, 1979, a county or a city not authorized to file a claim for payments under the above statutory provision to file a claim for payment to private operators of transportation services operated pursuant to a county or city ordinance (including taxicab companies operating specialized equipment), and to private nonprofit corporations and associations operating specialized equipment, providing transportation services for elderly and handicapped persons at rates no higher than those charged able-bodied persons utilizing the same or similar transportation service, pursuant to a contract with such a county or city.

The bill would also require a city or county to enter into an agreement specifying the level of service to be mutually supplied and a coordinated operating plan with a transit district, included transit district, municipal operator or included municipal operator prior to contracting with a private operator of transportation services for providing transportation services to the elderly and handicapped within the boundaries of the transit district, included transit district, municipal operator, or included municipal operator.

The payment to a private operator would not exceed 75% of the average cost to the general public of the transportation service provided by the private operator. In the case of a private nonprofit corporation or association, the payment would not exceed 75% of its operating, maintenance, and capital requirements in providing such services after deductions from its total revenues from such services of approved federal and state grants estimated to be received in connection with providing such services during the fiscal year in which payments are made.

The above changes in the law which this bill would make would not become operative if Senate Bill No. 1687 is chaptered and amends Section 99400 of the Public Utilities Code, regardless of whether that bill is chaptered before or after this bill.

The bill would also make changes in other provisions of the act to refer also specifically to handicapped persons, as defined.

Ch. 1275 (AB 2606) Keysor. Elections: voters.

(1) Existing law provides for the determination of the residence and other qualifications of voters, their registration, the cancellation and preservation of affidavits of registration, actions to compel registration, the duties of the county clerk and his deputies with respect to voter registration, the indexes of registration, war voters, new residents

and the privileges of voters.

This bill would repeal such provisions and enact new provisions governing the determination of the residence and other qualifications of voters, including war voters and new residents, their registration, the cancellation and preservation of affidavits of registration, actions to compel registration, the duties of the county clerk and his deputies with respect to voter registration, and the indexes of registration.

(2) Present law provides for the manner in which absent voters are to proceed in order to cast a ballot on election day.

This bill repeals and reenacts the provisions relating to absent voter ballots.

(3) Existing law requires constitutional amendments to appear on the ballot in the order determined by the Secretary of State, but does not provide for the order on the ballot of measures proposed by the Legislature other than constitutional amendments or bond measures

This bill would require all measures proposed by the Legislature to appear in the order in which they qualify, with bond measures preceding constitutional amendments, and constitutional amendments preceding other measures.

(4) Existing law contains two similar provisions for judicial relief to correct an error on the ballot.

This bill would repeal such provisions and add a provision for the correction of errors on the ballot by writ of mandate.

(5) Existing law provides for the order of instructions to voters on the ballot.

This bill would make a technical change in such provision.

(6) This bill would also incorporate changes proposed by AB 3011 to be operative only if AB 3011 is also chaptered, and it would make certain technical changes which are dependent upon whether AB 3683 is chaptered.

(7) This bill would also incorporate changes proposed by SB 631 to become operative only if SB 631 is also chaptered.

Ch. 1276 (AB 2904) Briggs. Harbor improvement districts.

Existing law authorizes harbor improvement districts to acquire, develop, operate, and maintain inland parks and recreation areas in accordance with specified procedures and authorizes such districts to exercise the right of eminent domain.

This bill would define "inland parks and recreation areas" for such purposes to include, but not be limited to, open-space land, as defined.

The bill would also preclude the acquisition of forest lands, rangeland, or agricultural lands by eminent domain when the acquisition is for specified purposes.

Ch. 1277 (AB 3096) Deddeh. Public administrators

Under existing law regarding administration of estates, any money or other property remaining in the hands of the public administrator which is unclaimed by any heir of the decedent by affidavit is distributed, upon petition of the administrator, to the state.

This bill would revise such provision to require that such money or property instead be delivered to the legatees under the decedent's last will and testament, if any, in the absence of a will to the next of kin, and, if none, then to the state.

Existing law permits a public guardian on the death of his ward or conservatee, where the total value of the estate does not appear to exceed \$1,000, to apply for an order from the superior court to dispose of the property, collect debts, and withdraw money on deposit to pay the costs of decedent's burial and last illness.

This bill would permit such actions where the value of the estate does not exceed \$5,000.

Ch. 1278 (AB 3318) Sieroty Elections. initiatives.

(1) Existing law requires the Attorney General to prepare a title and summary for a statewide initiative measure, including, in certain cases, an estimate or opinion of the fiscal impact of the measure

This bill would require him to do so within a specified deadline.

(2) Existing law authorizes a voter to solicit signatures to a statewide initiative measure only within the county of his residence.

This bill would allow a voter to solicit such signatures ~~state/~~ [statewide]. *

(3) Existing law does not require the Secretary of State to prepare and make available

a pamphlet setting forth the procedures and requirements for statewide initiative measures and related matters.

This bill would require him to do so.

(4) This bill also incorporates changes made by Assembly Bill 3254 (Ch. 248, Stats 1976).

(5) This bill incorporates additional changes in Section 3517 of the Elections Code proposed by Assembly Bill No. 3467.

Ch. 1279 (AB 3426) Sieroty. Financial institutions.

No provision of existing law requires the financial institutions specified in this bill to make the type of disclosures this bill would require.

This bill would require banks, savings and loan associations, credit unions, and industrial loan companies to maintain, in a place available for public inspection, a current written schedule containing the amount or method of determining the amount of each charge which they may impose on an account and the rate of interest or dividends or method that will be used in computing and paying interest or dividends on an account, together with the effective date thereof, with specified exception.

This bill would also require that depositors of banks, savings and loan associations, and industrial loan companies be notified of any increase in charges or decrease in interest before such change is implemented, and it would require credit unions to notify depositors of any increase in charges or any change in the method of computing or frequency in paying dividends.

It also would provide that an institution that makes such a change without notification would be liable to the depositor, and would make provision relating to the bringing of such actions

This bill would also provide that notwithstanding general provisions of law making violations of laws relating to such institutions a public offense or a misdemeanor, violation of the provisions of this bill would not constitute a public offense or a misdemeanor.

The provisions of this bill would be operative on July 1, 1977.

This bill would also make conforming changes in the provisions relating to industrial loan companies, to be effective only if SB 1793 is chaptered.

Ch. 1280 (AB 4018) Maddy. Appropriation of minerals: measure of damages.

Existing law authorizes treble damages for the appropriation or conversion of any mineral deposits reserved to, or owned by, the state and under the jurisdiction of the State Lands Commission.

This bill would instead authorize damages equal to the actual damage if such appropriation was involuntary or if the defendant had probable cause to believe he was acting on his own land or the land of his employer or principal. The bill also would provide that damages awarded shall be limited to those determined to have occurred within the 5 years preceding the commencement of the action.

Ch. 1281 (AB 4028) Keene. Public entities. validation of proceedings; resort improvement districts.

(1) Existing law provides for the manner in which various public entities may seek validation of certain acts and proceedings.

This bill would repeal such provisions

(2) Existing law prohibits the formation of additional districts under the Resort Improvement District Law after September 17, 1965, and generally prohibits any such district from engaging in any activity or providing any service not already engaged in or provided, or budgeted for, as of July 1, 1970.

This bill would exempt from such prohibitions the area of the Fallen Leaf Lake watershed within the Lake Tahoe watershed.

(3) Existing law does not provide for the imposition of a standby or immediate availability charge for services furnished by a resort improvement district to its inhabitants.

This bill would authorize a resort improvement district to fix and collect a water or sewer standby or immediate availability charge of a maximum of \$12 per year for each acre of land or \$8 per year for each parcel of less than an acre within the district to which water or sewerage could be made available for any purpose. The bill would also require

certain procedures in fixing such a charge, provide for the collection of delinquent charges and a penalty thereon with other county taxes, and make unpaid charges and the penalty a lien on the affected land.

(4) Existing law also continuously appropriates funds for the reimbursement of local agencies for funds lost by them because of homeowners' property tax exemption, the amount of the reimbursement being based on the tax rate of the agency.

Any increased property tax rate arising from the enactment of this bill would effectuate statutory provisions appropriating funds for the required reimbursements.

(5) The bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by the bill for a specified reason.

Ch. 1282 (AB 4161) Lewis Air pollution: motor vehicles: inspection.

(1) Under existing law, the Department of Consumer Affairs, with the cooperation of the State Air Resources Board and the Department of the California Highway Patrol, is required to implement during 1975 and 1976 and to administer a program for the mandatory periodic exhaust emission inspection of motor vehicles registered in the Counties of Los Angeles, Orange, Riverside, San Bernardino, Santa Barbara, and Ventura.

This bill would expand the program to cover all emission control equipment and devices of such motor vehicles, but limit the program to only those portions of the counties included within the South Coast Air Basin as defined by the state board as of January 1, 1976.

(2) Under existing law, the Department of Consumer Affairs (hereafter referred to as the department) is required to conduct the program.

The bill would authorize the department to contract with public or private entities to operate the program.

(3) Under existing law, the department is required to authorize any owner of a fleet of 100 or more motor vehicles subject to inspection to utilize, on his premises, his personnel and facilities to perform the required inspection.

The bill would require the department to grant such authorization to any owner of a fleet of 10 or more such motor vehicles. The owner would be authorized to utilize his own personnel or facilities, or both, to perform the inspection.

(4) Under existing law, subsequent to July 1, 1976, all such motor vehicles are required to be inspected upon transfer of registration.

This bill would delay until January 1, 1979, the requirement that all such motor vehicles be inspected upon transfer of registration.

(5) Under existing law, all such motor vehicles, subsequent to July 1, 1977, are required to be inspected upon initial registration and renewal of registration.

The bill would delay until January 1, ~~1980~~ [1981] *, the required inspection upon initial registration, and upon each subsequent renewal of registration, of such motor vehicles. These inspections would be required only upon enactment of a statute by the Legislature. The inspection upon initial registration of a motor vehicle would be required only if the motor vehicle was previously registered in another state.

(6) Under existing law, a reinspection of a motor vehicle is not required for transfer of registration, or for initial or renewal of registration, if the motor vehicle was inspected within a 60-day period prior to such registration.

The bill would authorize the department to extend that period upon a specified determination.

(7) Under existing law, any motor vehicle failing the required inspection may be reinspected at the request of the owner after the motor vehicle has undergone maintenance or repair. The motor vehicle is required to pass the reinspection prior to its registration.

The bill would authorize the department to waive the reinspection requirement if the motor vehicle was repaired or serviced by a licensed installer (a person licensed to work on motor vehicle air pollution control devices).

(8) Under existing law, the department is required to issue a certificate of waiver to such a motor vehicle so that it may be registered even though it fails the required inspection if (a) it received the specified low-emission tuneup and (b) it is in need of further maintenance and repair costing more than \$150 or 20% of the low current market value of the vehicle, whichever is lower.

The bill, for the purpose of issuing the certificate of waiver, would revise the maximum cost of further maintenance and repair to \$50, based upon the estimate of a licensed installer, and, on and after July 1, 1977, would authorize the department to increase that amount to \$75, taking into consideration, among other things, the increase in the cost of living as reflected in the Consumer Price Index.

(9) Under existing law, the department is also required to grant a certificate of waiver if a motor vehicle fails reinspection and all recommended maintenance and repairs and a low-emission tuneup has been performed.

The bill would delete this basis for the granting of a certificate of waiver.

(10) Under existing law, the department is required to submit a written report of its analyses and evaluations of the program to the Legislature every 12 months, commencing not later than July 1, 1975.

The bill would delay until July 1, 1978, when the department would be required to submit its first such annual report to the Legislature.

(11) Under existing law, the department is required to study and submit recommendations to the Legislature not later than December 31, 1976, on whether the program should be extended to other geographical areas of the state.

The bill would delay until July 1, 1982, when the department would be required to submit such recommendations to the Legislature.

(12) Under existing law, the department is required to charge fees for the inspection of such motor vehicles.

The bill would authorize the department, under specified circumstances, to request the Department of Motor Vehicles, and that department would be authorized upon such a request, to collect the inspection fee of a motor vehicle at the time it is registered.

(13) Under existing law, the fees collected are deposited in the General Fund.

The bill would require the fees to be deposited in the Vehicle Inspection Fund, which the bill would create, and would continuously appropriate the fees to the department for purposes of the program.

(14) The bill would make other related changes.

Ch. 1283 (AB 4223) Calvo. Financial institutions

Existing law provides that no later than 10 days, and no sooner than 60 days prior to the maturity date of a time deposit, a bank or savings and loan association must make specified written disclosures to a depositor.

This bill would exempt from such provisions as it would affect banks: time deposits represented by instruments payable to bearer, time deposits having a fixed-term maturity of not more than 90 days, deposits contemplating subsequent deposits to the account, and accounts which consist of funds deposited to the credit of an association, organization, partnership or corporation organized for profit, and as applied to savings and loan associations: fixed-term savings account certificates payable to bearer, fixed-term savings account certificates which contemplated certain subsequent additions, and certificates having a fixed term of not more than 90 days.

This bill is also an urgency statute, citing facts therefor, to take effect immediately.

Ch. 1284 (AB 4248) Calvo. Vehicle leasing.

(1) Under existing law, there are specified requirements for contracts for leases of automobiles.

This bill would repeal and reenact those provisions and set forth in detail additional requirements, including specific wording on terms, depreciation, payments, prepayments, bearing of risk, warranties, and repossession; the bill also provides for civil and criminal liability for failure to comply, including civil class actions, and for enforcement by the Department of Motor Vehicles. These provisions of the bill would become operative March 23, 1977.

(2) Under existing law, lessor-retailers of automobiles are not licensed as such.

This bill would enact detailed licensing provisions for lessor-retailers of vehicles as such, including provisions for issuance of licenses, probationary or temporary licenses, hearings for denial of a license, bonds, and suspension, revocation or cancellation of a license for specified reasons. The bill also prescribes unlawful acts by such licensees.

(3) Under existing law, sales of vehicles are exempt from sales taxes imposed pursuant to certain provisions of the Revenue and Taxation Code if the retailer is other than a

person licensed or certificated pursuant to the Vehicle Code as a manufacturer, dealer, or dismantler. Existing law also provides that except when the sale is by lease, when a vehicle is sold at retail by other than a person licensed or certificated pursuant to the Vehicle Code as a manufacturer, dealer, or dismantler, or a person required to hold a seller's permit, the retailer is not required or authorized to collect the use tax from the purchaser.

This bill would specifically make the provisions presently applicable to manufacturers, dealers, and dismantlers also applicable to lessor-retailers (which the bill would define), thus making vehicle sales by such persons subject to such sales and use tax provisions, with specified exception relating to the retail sale of a vehicle by such persons to a lessee of the vehicle.

(4) The bill would appropriate \$60,000 from the Motor Vehicle Account in the State Transportation Fund to the department for the purposes of carrying out the provisions of the bill and would require that such account be reimbursed during the 1976-77 fiscal year for such amount from the revenues first derived from fees collected pursuant to the bill.

(5) The bill would make a declaration regarding legislative intent.

(6) The bill would provide that notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by the bill for a specified reason.

Ch. 1285 (AB 3456) Arnett. Motor vehicle sales.

Existing law requires every conditional sale contract to contain specified items.

This bill would, in addition to the existing specified items, require such contracts to contain a notice informing the buyer that complaints concerning unfair or deceptive practices or methods by the seller may be referred to the Department of Motor Vehicles, Division of Compliance at a prescribed address.

Existing law provides for the refund of any payment made by the buyer pending execution of a conditional sale contract in the event the contract is not executed unless the buyer's present motor vehicle is left with the seller as downpayment and the buyer and seller agree that they shall enter into the conditional sale contract and the delivery of the motor vehicle described therein to the buyer shall be more than 5 days after the date the buyer leaves his motor vehicle with the seller.

This bill would delete the limitation upon the buyer's right to recover any payment made pending execution of the conditional sale contract in the event such contract is not executed.

This bill would also provide that if the buyer leaves his motor vehicle with the seller as downpayment and such motor vehicle is not returned by the seller, the buyer, in the event of a breach of the conditional sale contract by the seller, may recover from the seller within 5 business days of the breach the greater of either the fair market value of the traded-in vehicle or its value as stated in the contract.

The bill would make the buyer's new remedies nonexclusive and cumulative.

This bill would also provide that if the seller knows, or has reason to know, that the buyer intends to obtain financing from a third party without the assistance of the seller, and the buyer is unable to obtain such financing the contract or purchase order must be rescinded.

Existing law provides for multiple venues for an action on a contract subject to the Automobile Sales Finance Act.

This bill would specify that in any action involving multiple claims or multiple causes of action, the proper venue for such action shall be any venue presently provided for in the act so long as there is at least one claim or cause of action arising from a contract subject to the act.

This bill would incorporate additional changes in Section 2982, Civil Code, proposed by either or both AB 3689 and SB 1894 to be operative only if either or both bills are chaptered and become effective January 1, 1977, and this bill is chaptered last.

Ch. 1286 (AB 3689) Alatorre. Vehicle sales.

The Automobile Sales Finance Act does not presently require that a conditional sale contract for the sale of a motor vehicle contain the annual percentage rate as defined in the Federal Truth in Lending Act (15 U.S.C. 1601 et seq.). This bill would impose such requirement.

Existing law provides that a person who sells or distributes vehicles between licensed dealers or who is employed by manufacturers or distributors to promote the sale of vehicles dealt in by such persons is exempt from licensure as a vehicle salesman. This bill would revise such exemptions to apply only to a person licensed as a manufacturer, transporter, distributor, or representative.

This bill would also provide that notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by the bill for a specified reason.

This bill would incorporate additional changes in Section 2982, Civil Code, proposed by either or both AB 3456 and SB 1894, to be operative only if either or both bills are also chaptered and become effective January 1, 1977, and this bill is chaptered last.

Ch. 1287 (AB 3606) Brown. Small claims courts.

Existing statutes of general application establish and regulate the small claims court.

This bill would establish experimental projects which would revise the small claims court procedure in the affected areas. The stated purpose of the bill is to stimulate the use of the small claims court by individual litigants.

The major provisions of the bill are as follows:

- (a) The establishment of night and Saturday sessions.
- (b) The revision by Judicial Council rule of forms used in the small claims court
- (c) Provision for change of venue for substantial hardship upon either parties or witnesses.
- (d) The establishment of the positions of a law clerk, two small claims legal advisers and the prescribing of their duties.
- (e) The requirement of the employment of bilingual clerical staff and courtroom interpreters.
- (f) A requirement for a system of recording statistics relating to claims in the small claims court.
- (g) The formulation and distribution by the Department of Consumer Affairs of a specified manual on small claims court rules and procedures.

In addition, the Department of Consumer Affairs and an advisory committee, established by the bill, would be required to evaluate the pilot programs and report to the Legislature.

The provisions of the bill establishing the experimental project would become operative July 1, 1977, and would be repealed on June 30, 1979.

This bill would provide no reimbursement to local governmental entities pursuant to specified reasons.

Ch 1288 (AB 4072) Miller. Municipal and justice courts

Existing law provides that municipal courts have jurisdiction in civil cases where the amount in controversy is \$5,000 or less, except in specified cases, and in criminal cases amounting to a misdemeanor, except juvenile court cases and cases where other courts have exclusive jurisdiction. Justice courts have jurisdiction in civil cases where the amount in controversy is \$1,000 or less, except in specified cases, and in criminal cases amounting to a misdemeanor punishable by fine not exceeding \$1,000 or imprisonment not exceeding 1 year, or by both.

This bill would give justice courts the same jurisdiction as municipal courts

Existing law provides for an appellate department of the superior court in every county and city and county which has one or more municipal courts.

This bill would provide similarly for every county and city and county having one or more justice courts

Existing law establishes specific grounds for appeal of justice court actions and the manner of review.

This bill would delete these provisions and would establish the same grounds for the appeal from justice courts as are applicable to appeals from municipal courts.

The bill would incorporate additional changes in Section 117, Code of Civil Procedure, proposed by AB 3594, to be operative only if AB 3594 is enacted.

The bill would also provide that neither an appropriation is made nor an obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill for specified reasons.

Ch. 1289 (AB 3885) McVittie. Small claims court.

Existing law establishes and regulates the small claims court.

This bill would revise that law. Among the changes that the bill would make are the following:

(a) The jurisdictional limits of the small claims court would be increased from five hundred dollars (\$500) to seven hundred fifty dollars (\$750).

(b) Provision would be required to be made for evening and Saturday sessions, including places outside the courthouse.

(c) The small claims court would be required to provide for a list of interpreters.

(d) The Judicial Council would be authorized to prescribe rules for the practice and procedure of, and required to approve or adopt forms for use in proceedings in, the small claims court consistent with the provisions of the act, and would also permit each small claims division to formulate and distribute to litigants and the public a manual on small claims court rules and procedures.

This bill would provide that no appropriation or reimbursement is made to local government entities for costs incurred by them pursuant to its provisions for specified reasons.

Ch. 1290 (SB 1890) Nejedly. Elections

Existing law requires the proponent of a measure which is to appear on the ballot to file a campaign statement not later than 65 days after the measure qualifies for the ballot, or, if the proposed measure does not qualify for the ballot, to file a campaign statement within 65 days after the final deadline for circulating the petition.

This bill would extend these same requirements to the opponents of measures who qualify as campaign committees. This bill would provide that if this bill is chaptered after Senate Bill No. 1362, the amendments to Section 84202 of the Government Code set forth in Section 1 of this bill shall not become operative

Ch. 1291 (AB 3509) Suitt. Peace officers.

Existing law makes various persons peace officers with specified powers and duties.

This bill would include persons regularly employed as airport security officers by any airport operated by the City of Palm Springs among such designated peace officers under prescribed conditions.

Ch. 1292 (SB 1882) Stull. Peace officers

Existing law makes various persons peace officers with specified powers and duties.

This bill would include persons regularly employed as airport security officers by any airport operated by the City of Palm Springs among such designated peace officers under prescribed conditions.

This bill would also delete from such designated peace officers members of a state university or college police department, but would retain their peace officer status under other provisions.

Ch. 1293 (AB 2986) Ralph. Civil rights. freedom from violence.

Existing state law provides that all persons are entitled to the full and equal accommodations, advantages, facilities, privileges, or services in all business establishments without regard to their sex, race, color, religion, ancestry, or national origin. All persons have the right to seek, obtain, and hold employment without discrimination because of race, religion, color, national origin, or sex.

Any person who denies another person's right to full and equal accommodations, advantages, facilities, privileges, or services in all business establishments, or who aids or incites such denial, is liable to the injured person for actual damages plus a \$250 penalty.

This bill would expressly provide that all persons have the right to be free from any violence, or intimidation by threat of violence, committed because of their race, color,

religion, ancestry, national origin, political affiliation, sex, or position in a labor dispute. The bill would declare that this particular statute shall be known and may be cited as the Ralph Civil Rights Act of 1976.

The bill would provide civil remedies for a violation of the right and authorize the Attorney General to bring an action under appropriate circumstances. The bill would provide that its provisions are independent of any other remedies or procedures that may apply.

This bill would also provide that the Fair Employment Practice Commission may receive, investigate, and pass upon any complaint alleging a violation of the right granted by the bill and the existing right to full and equal accommodations, advantages, facilities, privileges, or services in all business establishments pursuant to the commission's existing procedures for making findings of fact, issuing cease and desist orders, and seeking injunctive relief in superior court.

The bill incorporates additional changes in Section 52 of the Civil Code made by Chapter 366 of the Statutes of 1976 (AB 2553). It also incorporates additional changes in Section 1419 of the Labor Code, proposed by AB 3124, to be effective only if AB 3124 and this bill are both chaptered and become effective January 1, 1976, and this bill is chaptered last.

Ch. 1294 (AB 3520) Knox. Salary garnishment.

Existing law permits the garnishing of wages of a public officer or employee, upon a filing of an abstract of judgment.

This bill would eliminate these provisions, and thus a public officer or employee's wages could only be garnished in accordance with procedures used for private employees involving a writ of execution.

This bill would incorporate the changes to Sec. 710, Code of Civil Procedure, proposed by SB 1994 if both bills are chaptered and this bill is chaptered last.

Ch. 1295 (AB 3912) Lancaster. Personal property brokers.

Existing law provides that credit disability insurance written by a personal property broker or industrial loan company shall not be written for a period in excess of the term of the loan to which it is applicable.

This bill would provide that credit disability insurance need not be offered for a period less than the term of the loan to which it is applicable.

This bill would also incorporate changes proposed by Assembly Bill No. 3913 and Senate Bill No. 1793, to be effective if either or both bills are chaptered and this bill ~~is~~ chaptered last.

Ch. 1296 (AB 4247) Bane. Premium finance agencies.

Existing law defines a "premium finance agency" as an industrial loan company which, by the terms of its authority to engage in the industrial loan business, is not permitted to issue or sell investment certificates, and whose business is limited as specified.

This bill would remove the limitation that a premium finance agency is not permitted to issue or sell investment certificates, and instead provide that such an agency may issue or sell investment certificates not in excess of the amount authorized by order of the commissioner, as specified.

This bill would also exempt premium finance agencies from being members of the Guaranty Corporation which guarantees the thrift obligations of industrial loan companies.

This bill would also incorporate changes proposed by Senate Bill 1793, to be effective only if both bills are chaptered.

Ch. 1297 (SB 1493) Stull. Student records.

Existing law prescribes the extent of pupil access to, and the confidentiality of, pupil records in elementary and secondary schools and community colleges.

This bill would make numerous technical changes in such provisions governing the access to, and the confidentiality of, pupil records.

This bill would enact similar provisions applicable to colleges and universities, among other things such bill would specify that a student has a right of access to all student

records relating to him maintained by any public or private college or university; require the adoption of procedures for granting student requests for the inspection and review of records; and require the establishment of procedures to challenge the content of any such record.

It would also provide that no appropriation is contained in the bill because it merely affirms for the state that which has been declared existing law or regulation through action by the federal government and because general compliance with this bill is a condition of the continued receipt of federal funds.

Ch. 1298 (SB 1507) Greene. Public assistance: paternity questions.

Under existing statutory law, there is no prohibition with respect to applications for public assistance on asking questions relating to paternity even where paternity is not in issue.

This bill would prohibit such questions with respect to any application or any questionnaire relating to any application in cases where paternity is not legally an issue.

Ch. 1299 (SB 1588) Roberti. CSUC: employee records

Under existing law, an employee of the California State University and Colleges does not have the right to inspect records and personnel files concerning the employee.

This bill would permit every employee of a state university or college to inspect all reports, documents, correspondence, and other material which pertains to the employee.

This bill would permit each such employee to obtain an exact copy of all or any portion of the employee's personnel records. It would require the employee to bear the cost of duplicating such records.

This bill would permit each such employee to make a written statement to the president of the state university or college as to corrections and deletions in the employee's personnel file that the employee believes need to be made and would provide a procedure for appeal of the president's decision to a faculty committee established and appointed by the campus academic senate or council.

This bill would specify that personnel recommendations or decisions relating to any personnel action shall be based on material contained in the employee's personnel file and open to the employee's inspection.

Ch. 1300 (SB 78) Nejedly. Forestry: creation of department

There is, under existing law, a Department of Conservation which is divided into four divisions, known as the Division of Forestry, the Division of Mines and Geology, the Division of Oil and Gas, and the Division of Resource Conservation. Under existing law, the State Forester is Chief of the Division of Forestry and is expressly given certain powers and duties with respect to forestry and forest practices.

This bill would abolish the Division of Forestry, establish the Department of Forestry, and provide that such department succeeds to functions of the Department of Conservation with respect to forestry and to the functions of the Division of Forestry. The bill would prescribe the powers and duties of such department and of the Director of Forestry. The bill would also transfer functions of the State Forester to the Department of Forestry or to the Director of Forestry. The bill would require appointment of 2 deputy directors, one exempt from civil service, and one in accordance with civil service who is a registered professional forester.

The bill would also reenact and renumber provisions relating to the Division of Oil and Gas, the State Board of Forestry, and professional foresters.

The bill would further make technical and conforming changes, and would delete obsolete provisions.

Ch. 1301 (SB 1063) Behr. Mendocino Woodlands Outdoor Center.

Existing law makes no provision for maintenance and operation of the Mendocino Woodlands Outdoor Center, which was deeded to California by the United States, nor is there provision for a Mendocino Woodlands Special Treatment Area located within the Jackson State Forest.

This bill would provide for the administration of the deeded land, as specified, as the Mendocino Woodlands Outdoor Center, as a unit of the state park system, by the

Department of Parks and Recreation, and as an outdoor educational facility. The bill would require the department to prepare a plan for the protection and management of the center, with specified contents, and would require its submission to the Legislature by January 15, 1977.

The bill would describe the location of the center and the Mendocino Woodlands Special Treatment Area, and would require provision of access to the area for timber cutting. Also, the State Forester would be required to consider recommendations of the department regarding the operations of the center, prior to authorizing the sale and cutting of timber from the area.

The bill would appropriate \$200,000 from the Park and Recreation Revolving Account in the General Fund to the department for costs incurred in planning and maintenance and improvement of the center.

Ch. 1302 (SB 1390) Nejedly. Sacramento-San Joaquin Delta levees.

Existing law provides for maintenance and improvement of levees in the Sacramento-San Joaquin Delta subject to approval by the Reclamation Board of criteria developed by the Department of Water Resources for the maintenance and improvement of the nonproject levees, which are defined as levees which are not a project facility under the State Water Resources Law of 1945.

This bill would enact the Nejedly-Mobley Delta Levees Act which would approve of criteria developed by the Department of Water Resources in a plan for improvement of delta levees, authorize the department to prepare detailed plans and specifications for such improvements, and require the department to report to the Legislature by specified dates, on its recommendations concerning the improvement of such levees.

Such act would also permit the department, after it enters into an agreement with a local agency whereby the local agency will bear at least 20% of the cost of the improvement, to proceed immediately with improvement of a pilot levee project which the department determines, after a public hearing, is in critical need of improvement and susceptible to failure.

This bill would also appropriate \$350,000 for allocation as follows: (a) \$150,000 to the department for expenditure, without regard to fiscal years, for the purposes of the Nejedly-Mobley Delta Levees Act, and (b) \$200,000 to the department for expenditure in the 1976-77 fiscal year, for the purposes of reimbursements for maintenance and improvement of nonproject levees in the delta, as provided in existing law. The bill would also require that local plans for such maintenance and improvement of nonproject levees be compatible with the department plan approved by this bill and take into account the most recently updated Delta Master Recreation Plan prepared by the Resources Agency. The bill would require the Reclamation Board, if applications for such reimbursements exceed funds available, to apportion the funds among those levees or levee segments that are identified by the department as most critical and beneficial, considering specified factors.

The bill would take effect immediately as an urgency statute.

Ch. 1303 (SB 1469) Behr. Caves: destruction thereof or contents therein.

Existing law makes any person guilty of a misdemeanor punishable by up to 6 months in the county jail, or a fine of \$500, or both, if such person willfully injures, disfigures, or destroys any object or thing of archaeological or historical interest or value, whether situated on private lands or within any public park or place with specified exceptions. However, any of the above-mentioned provisions are not to be construed as interfering with any of the "game laws," nor with other specified provisions of law, including the right to destroy any venomous reptile. Further, a person is guilty of a misdemeanor punishable by up to 6 months in the county jail, or a fine up to \$500, or both, for willfully committing specified acts of trespass.

This bill would, in addition, make any person guilty of a misdemeanor punishable by imprisonment in the county jail for up to one year, or by a fine not exceeding \$500, or both, if such person intentionally and knowingly, without prior consent of the owner, as defined, of a cave, does any of various prescribed acts relating to the cave or materials found in the cave. These provisions would also be subject to being construed as not to interfere with the "game laws" and such other specified laws.

Existing law provides that an owner of any estate in real property owes no duty of care

to keep the premises safe for entry or use by others for fishing, hunting, camping, water sports, hiking, riding, including animal and all types of vehicular riding, rock collecting, or sightseeing or to give any warning of hazardous conditions, uses of, structures, or activities on such premises to persons entering for such purposes, with certain specified exceptions.

This bill would include the activity of spelunking within such provision.

The bill would also provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by this bill for a specified reason.

Ch. 1304 (SB 1631) Carpenter. Upper Newport Bay wetlands development.

Existing provisions of law appropriate \$3,481,000 to the Department of Fish and Game for the acquisition of coastal wetlands in Upper Newport Bay and declare the intent of the Legislature that such appropriation be made from \$4,500,000 which was received by the state in settlement of litigation and deposited in the General Fund.

This bill would appropriate \$1,100,000 to the department for the development of the wetlands thus acquired and would declare the intent of the Legislature that such appropriation also be made from such settlement.

Ch. 1305 (SB 1933) Mills Anza-Borrego Desert State Park: appropriation.

Under existing law, the Park and Recreation Revolving Account of the General Fund is subject to appropriation in the Budget Bill for various purposes. The expenditure of funds in the account for a visitors' center at Anza-Borrego Desert State Park has not been authorized.

This bill would appropriate \$400,000 from the account for such purpose, subject to approval of preliminary plans and working drawings by the State Public Works Board and the Department of Finance. The bill would prohibit the expenditure of such funds if the project cost exceeds such amount, until the Department of Parks and Recreation certifies to the Department of Finance that it has received sufficient nonstate funds to meet all costs in excess of such amount.

Ch. 1306 (SB 2125) Holden. Parks: Baldwin Hills Regional Park

The State Beach, Park, Recreational, and Historical Facilities Bond Act of 1974 requires the Secretary of the Resources Agency on July 1, 1980, to cause to be totaled the unencumbered balances remaining in the State Beach, Park, Recreational, and Historical Facilities Fund of 1974, and to submit a program, in accordance with specified criteria, in the budget for the 1981-82 fiscal year to appropriate this balance.

This bill would require the first \$4,400,000 of the total amount of such balances to be submitted in such budget for appropriation to the County of Los Angeles as a local grant for acquisition and development of Baldwin Hills Regional Park. The bill would require the Department of Parks and Recreation to cooperate with the County of Los Angeles, the City of Los Angeles, and the City of Culver City in obtaining federal or state local grants for the Baldwin Hills Regional Park project.

Ch. 1307 (SB 2130) Russell. State employees: appeals of layoff notices.

Under existing law, the State Personnel Board is authorized to hold hearings and investigate all matters relating to state civil service.

This bill would require the board in conducting a hearing or investigation on an appeal by an employee to hold such hearing or investigation within a reasonable time after the filing of the petition and to render its decision within a reasonable time after conclusion at the hearing or investigation, except that the total time from hearing or investigation to decision shall not exceed 6 months. It would permit the board to extend this period for up to 45 additional days. It would also permit these provisions to be waived by an employee, but if not so waived it would declare the board's failure to render a timely decision an exhaustion of all available administrative remedies.

Ch. 1308 (AB 2397) Hart. Teachers' Retirement System, State: generally.

Existing State Teachers' Retirement Law prescribes the rights and benefits of members of the system. This bill would delete references to repealed sections and makes clarifying changes in various sections.

Existing law excludes specific earnings from the definition of the term "compensa-

tion" for purposes of computing benefits. This bill would also expressly exclude certain tax-sheltered annuity contributions and fringe benefits paid for by the employer in lieu of salary.

Existing State Teachers' Retirement Law does not permit members who accept positions with other school districts or county superintendents of schools requiring membership in another retirement system to elect to discontinue membership in the system.

This bill would permit members who accept positions with other school districts or county superintendents of schools, requiring membership in another retirement system, to elect to discontinue membership within 90 days after entry into service with the other school district or county superintendent of schools. The provisions would be applicable to persons who accepted positions after January 1, 1976, if an election is made on or before April 1, 1977.

Existing law requires notarization of applications for preretirement optional settlement selections. This bill would delete that notarization requirement.

Existing law requires any loss incurred by the system in connection with the payment of an estimated allowance to be charged against the member's accumulated retirement contributions. This bill would delete that provision.

The bill specifies that amendments to Section 13832 of the Education Code by Chapter 809 of the Statutes of 1975, which related to money not available for salaries and used to purchase annuity contracts or other insurance programs, were declaratory of existing law and that employing school districts or other employing agencies shall not make contributions to the Teachers' Retirement Fund because of such amendments. The bill would provide that such amendments shall not affect the receipt of any allowance and would prohibit the reduction of any retirement allowance because of a mistake as to the inclusion of such money as compensation for purposes of calculating benefits.

The bill would take effect immediately as an urgency statute.

Ch. 1309 (AB 2439) Z'berg. Solid waste management permits.

Under existing law, solid waste management and planning is conducted primarily by local government and is required to conform with comprehensive, coordinated county solid waste management plans which are consistent with state policy developed and maintained by the State Solid Waste Management Board.

This bill would establish a program for the issuance of permits for the operation of a solid waste facility, as defined. It would specify the environmental purposes to be achieved in the issuance and enforcement of such permits, and would specify penalties for operations in violation of or without a permit.

This bill would permit any enforcement agency, created by a procedure specified by the bill, to investigate and inspect the operation of solid waste facilities, and to require technical, monitoring, or other reports subject to certain conditions.

The bill would permit the board to adopt and modify standards governing such operations and facilities and would provide a procedure for the State Department of Health to object to the modification of any standards affecting health.

This bill would establish various detailed procedures for enforcement, denial, revocation, or suspension of permits, including a detailed hearing and appeal process, specify fines for violations, and require any attorney authorized to act in behalf of an enforcement agency, at the request of enforcement agencies, or the Attorney General, at the board's request under certain conditions, to petition the superior court for injunctive relief against specified violations.

This bill would specify that an environmental impact report would not be required for the issuance of a solid waste facilities permit to any solid waste facility, as specified. It would permit an enforcement agency to order that operations without or in violation of a permit to cease and desist, and order cleanup thereof, or that it may perform the necessary cleanup or other remedial action and hold the person responsible therefor civilly liable.

This bill would provide civil penalties for violation of a solid waste facilities permit or any standard adopted by the board, and would direct the disposition of such penalties half to the state and half to local agencies.

This bill would make other technical and related changes and provisions.

This bill would provide that no appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill, for a specified reason.

Ch. 1310 (AB 2586) Cullen. State civil service: promotional examinations.

The existing law contains no express provision which makes state employees who are exempt from state civil service eligible to participate in servicewide promotional examinations.

This bill would, under conditions prescribed by the State Personnel Board, make employees of the Legislative Analyst and the Office of the Auditor General eligible to receive 3 career credits in nonpromotional examinations, when such employees have been employed for five consecutive years in exempt positions, and possess the qualification requirements specified by the State Personnel Board.

Ch. 1311 (AB 2625) Beverly. County Employees Retirement Law: safety membership.

The existing County Employees Retirement Law of 1937 provides that certain beach and water area employees are active law enforcement employees and thereby safety members.

This bill would delete and add several categories of employees to the safety member category and would specify that persons who hold the titles of director of beaches, assistant director of beaches, or deputy director of beaches shall not be active law enforcement employees unless they have previously been in such classification or have performed duties which would have qualified them as an active law enforcement employee.

The bill would provide that neither appropriation is made nor obligation created for reimbursement of any local agency for any costs incurred by it pursuant to the act for a specified reason.

Ch. 1312 (AB 2679) Knox. Environmental impact reports.

(1) The Environmental Quality Act of 1970 requires the preparation of environmental impact reports by public agencies on any project they propose to carry out or approve which may have a significant effect on the environment. The act, in such connection, makes legislative findings and declarations as to state policy.

This bill would make additional legislative findings and declarations as to state policy, including policy as to approval of projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of the project and policy as to the use of environmental impact reports. It would also prescribe the responsibility of a local agency in applying state policies when the local agency is functioning as a lead agency and when it is functioning as a responsible agency, as defined.

(2) The act does not define "significant effect on the environment," but state guidelines adopted by the Secretary of the Resources Agency define significant effect to mean a substantial adverse impact on the environment.

This bill would define "significant effect on the environment" for purposes of the act, to mean a substantial adverse change in the environment.

(3) The act is not applicable to ministerial projects proposed to be carried out or approved by public agencies or to emergency repairs to public service facilities necessary to maintain service.

This bill would also exempt projects to maintain, repair, restore, demolish or replace property or facilities damaged or destroyed as a result of a disaster in a disaster-stricken area in which a state of emergency has been proclaimed by the Governor, and specific actions necessary to prevent or mitigate an emergency, as defined.

(4) State guidelines adopted by the Secretary of the Resources Agency require a negative declaration to be prepared for a project which could potentially have a significant effect on the environment, but which the agency finds on the basis of an initial study will not have a significant effect on the environment. The act makes no provision for a negative declaration.

This bill would require a public agency if it determines that a proposed project, not otherwise exempt from the provisions of the act, does not have a significant effect on the environment, to adopt a negative declaration, as defined and would make related changes.

(5) The act does not require a public agency to make any special findings if it determines to carry out or approve a project for which an environmental impact report has

been prepared.

This bill would prohibit a public agency from approving or carrying out a project for which an environmental impact report has been completed which identifies one or more significant effects, unless it makes one or more of specified findings, and would limit the inquiry in any legal action attacking such findings to whether there was a prejudicial abuse of discretion, as defined, and establishes priority for such action.

(6) The act requires, when an environmental impact report must be prepared, that the agency prepare or cause to be prepared by contract, and certify the completion of, the report

This bill would require any environmental impact report or negative declaration to be prepared directly by, or under contract to, a public agency.

(7) The act requires the state guidelines adopted by the Secretary of the Resources Agency to include criteria requiring a finding by public agencies of a "significant effect on the environment" where the possible effects of a project are individually limited but cumulatively considerable.

This bill would define "cumulatively considerable" for such purposes.

(8) The act requires the state guidelines adopted by the Secretary of the Resources Agency to include a list of classes of projects which have been determined not to have a significant effect on the environment and which shall be exempt from the act.

This bill would prohibit any project of the Department of Transportation which will result in damage to scenic resources within an official state scenic highway from being so exempted.

(9) The act authorizes a public agency to charge a reasonable fee from any person proposing a project subject to the act in order to recover estimated costs incurred in preparing an environmental impact report for the project.

The bill would permit such fee to include costs incurred in preparing a negative declaration.

(10) The act does not require a public agency to give notice of the preparation of an environmental impact report or negative declaration in any particular manner.

This bill would require a public agency to provide public notice of such preparation, by specified procedures, within a reasonable period of time prior to final adoption.

(11) The act requires environmental impact reports to include a detailed statement setting forth the environmental impact of the proposed action, any adverse environmental effects which cannot be avoided, proposed mitigation measures, alternatives to the proposed action, the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity, any irreversible environmental changes which would be involved, and the growth-inducing impact of the proposed action.

This bill would revise such requirements as to the information to be included in such statement, and would require the information re short-term uses and long-term productivity and irreversible environmental changes to be included only in an environmental impact report prepared in connection with the adoption, amendment, or enactment of a plan, policy, or ordinance of a public agency, the adoption by a local agency formation commission of a resolution making determinations, or a project which will be subject to the requirement for preparing an environmental impact statement pursuant to federal law. The bill would specify that information or data which is relevant to such a statement and is a matter of public record or is generally available to the public need not be repeated in its entirety, but may be specifically cited as the source for conclusions stated therein, subject to specified requirements. The bill would require reports to contain an index or table of contents and a summary but would provide that the failure to include an index, table of contents, or summary is not grounds for a cause of action.

(12) The act makes no requirements in regard to time limits for the processing of environmental impact reports

This bill would require local agencies by ordinance or resolution, to establish time limits, not to exceed one year, for completing environmental impact reports and negative declarations for projects involving the issuance of a lease, permit, license, certificate or other entitlement for use

(13) The act authorizes actions to attack, review, set aside, void, or annul an act or decision of a public agency on the grounds of noncompliance with the act.

This bill would require courts to give preference over other civil actions to such

actions, including the hearing of any such action on appeal from the decision of a lower court.

(14) Existing provisions of the act establish a procedure, including limitations on the scope of judicial authority, for maintaining an action or proceeding to attack, review, set aside, void or annul a determination or decision of a public agency under the act.

This bill would extend such provisions to a finding of a public agency under the act

(15) The bill would provide that there shall be no reimbursement for any state-mandated local program for a specified reason.

Ch. 1313 (AB 2749) Murphy. State parks: land acquisition.

There is no existing law providing moneys from the Collier Park Preservation Fund to the Department of Parks and Recreation for the acquisition of lands adjacent to Natural Bridges State Beach in the City of Santa Cruz for the state park system.

This bill would appropriate \$315,000 from such fund for the acquisition of approximately 11 acres of such lands for such purpose. The bill would require the acquisition to be subject to the provisions of the Property Acquisition Law. The bill would prohibit the expenditure of such funds until the State Public Works Board has made certain determinations regarding implied dedication and public prescriptive rights or claims

Ch. 1314 (AB 2933) Cline. Castaic Lake State Recreation Area

No existing law appropriates funds for the development of the Castaic Lake State Recreation Area.

This bill would amend and supplement the Budget Act of 1976 to appropriate \$2,000,000, payable from the Recreation and Fish and Wildlife Enhancement Fund, to the Department of Parks and Recreation for the design and construction of camping, equestrian trail, picnic, and marine facilities at Castaic Lake State Recreation Area with the proviso that such development shall be accomplished in cooperation with the County of Los Angeles, and that such funds shall not be available for expenditure unless and until Los Angeles County implements a pilot transportation program in the summer of 1976 to transport youth from all areas of the county to such recreation area. The bill would require the Department of Parks and Recreation to make a report on the progress of the pilot program of the County of Los Angeles to the Legislature by November 1, 1976.

The bill would take effect immediately as an urgency statute.

Ch. 1315 (AB 2946) MacDonald. Public Employees' Retirement System: reciprocity.

Existing provisions of the Public Employees' Retirement Law and the County Employees Retirement Law of 1937 provide for receipt of reciprocal benefits by members, including elective officers, who have service in other retirement systems if the member has six months or less break in service between systems.

This bill would make that maximum period of break in service one year for local members who are elected officers and commence another elective office on and after January 1, 1977, if the contracting agency or the county elect to be subject to the provisions and if the other employer in a reciprocal system elects a similar provision.

Ch. 1316 (AB 3056) Gualco. State Teachers' Retirement System: contributions

Existing State Teachers' Retirement Law permits members to make tax-sheltered annuity contributions for the purpose of providing additional retirement income.

This bill would permit employers, other than the state, to elect to make such contributions on behalf of any group of members or any member and would provide that such contributions shall not be included as "compensation" for purposes of computing regular benefits.

Ch. 1317 (AB 3073) McAlister. Discrimination in employment: color blindness or color weakness.

Existing law prohibits the state from engaging in employment discrimination because of total or partial blindness unless normal eyesight is absolutely indispensable to do the physical acts to be performed

This bill would additionally make it an unlawful employment practice, unless based upon a bona fide occupational qualification as determined by a validation study conducted by the State Personnel Board, for the state to refuse to hire, employ, promote,

or select for a training program leading to employment, or to discriminate in compensation or in terms or privileges of employment because of color vision anomaly or defect, commonly known as color blindness or color weakness, in the vision of any person.

This bill would appropriate \$7,500 to the State Personnel Board for purposes of the bill.

Ch. 1318 (AB 3187) Hart. The County Employees Retirement Law of 1937: contracts with private attorneys

The existing County Employees Retirement Law of 1937 provides that the district attorney, or county counsel if there is one, is the attorney for the board.

This bill would allow the county board of retirement to contract for the services of an attorney in private practice for legal advice, if necessary, regarding the provisions relating to disability retirement.

This bill would also specify that there are no state-mandated costs imposed on local governmental entities by this act.

Ch. 1319 (AB 3243) Perino. State Employees' Medical and Hospital Care Act: contracting agencies.

The State Employees' Medical and Hospital Care Act presently authorizes local contracting agencies to elect to include their employees within the health plans provided under the act.

This bill would authorize the continued enrollment in health care plans for all surviving dependents of deceased contracting agency employees. A contracting agency could elect to require the family members to pay all or any part of the employer premium for such enrollment. The provision would not apply to a contracting agency until elected by its governing board.

Ch. 1320 (AB 3387) Sieroty. Financial records: search and seizure.

Existing law does not provide for a special procedure to be followed when a state or local agency seeks to examine financial records of a customer in the course of a civil or criminal investigation.

This bill enacts the "California Right to Financial Privacy Act." It provides that no officer, employee, or ~~agency~~ [agent] * of a state or local agency, as defined, or department thereof, may request or obtain from a financial institution, as defined, copies of financial records or information from such records on any customer except in specified circumstances and by specified procedures, and limits the use of financial records authorized to be received.

This bill makes a violation of the California Right to Financial Privacy Act a misdemeanor. It authorizes injunctive relief, and reasonable attorney's fees upon successful action.

The bill requires specified persons, corporations, and licensees to authorize specified state agencies to examine various financial records as a condition of doing business, obtaining a license, or exercising privileges.

It provides that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to this act.

Ch. 1321 (AB 3403) Suitt. Public Employees' Retirement System: membership.

Existing Public Employees' Retirement Law requires all employees of the state and contracting agencies to be members of the system except those who are excluded or excused.

This bill would exclude persons who have attained age 66½ or older at the time of first employment by the state or a contracting agency from membership in the system

Ch. 1322 (AB 3513) Suitt. State Teachers' Retirement System: survivor benefits

Existing State Teachers' Retirement Law defines "child" or "children" for purposes of benefits as dependent unmarried children under age 18 in the custody of and supported by the member and also includes those who on and after July 1, 1972 are full-time students under the age of 22

This bill would delete the custody and support requirements and the reference to July 1, 1972, and provide that dependent unmarried children who are full-time students shall be deemed not to be age 22 until the end of the school quarter or semester. The bill would also prescribe survivor benefits for children who are not in the care of the surviving spouse of a deceased member.

Existing law provides that a surviving spouse, under certain circumstances, receives a specified percentage of the member's highest average monthly salary during any 12 consecutive months within the 36 months immediately preceding death.

This bill would, instead, provide that the surviving spouse, under certain circumstances, would receive a specified percentage of the member's final compensation, which is defined generally as meaning the highest average annual compensation earnable by the member during any period of 3 consecutive years of membership in the system.

Existing law in the event of a member's death before retirement requires monthly payments to be made to, among others, the unremarried spouse age 60 or over or dependent parents.

This bill would permit such spouse or parents to instead elect lump-sum payment prior to the receipt of the first monthly payment.

Existing law requires reduction of the amount of the family allowance by the amount of any benefits payable to a beneficiary from other public systems.

This bill would limit the types of family allowances which are required to be reduced by the amount of benefits payable to a beneficiary from other public systems.

This bill incorporates additional changes in Sec. 14186, Education Code, proposed by AB 3641, to be effective only if AB 3641 and this bill are both chaptered and become effective January 1, 1977, and this bill is chaptered last.

Ch. 1323 (AB 3538) Deddeh. Civil service examinations.

Existing statutory law does not require the State Personnel Board to notify competitors in a civil service examination of their examination scores or to notify unsuccessful competitors of the reasons for failure. The State Personnel Board, pursuant to its power to adopt rules and regulations, has adopted a regulation requiring each competitor to be notified in writing of examination results and if the competitor is successful, the notice must include, among other things, the competitor's general average percentage score.

This bill would require the State Personnel Board to notify every competitor in writing of the results of the examination.

The bill would also require the board, on request, to notify competitors who fail an oral examination of the reasons why the board determined that such person was not an appropriate candidate for state service.

In addition the bill would require the board to allow the inspection of all written examination papers by competitors.

Ch. 1324 (AB 3901) Chimbole. Public Employees' Retirement System: service credit.

Existing Public Employees' Retirement Law generally extends service credit to members only for compensated employment.

This bill would make local members eligible to receive not more than 2 years of additional service credit if the governing body of a contracting agency determines that because of an impending curtailment of, or change in the manner of performing service, the best interests of the agency would be served if the member retires during a specified 180-day period, the member is employed in a designated job classification, department or organization, specified amounts are paid by their employing agency for all eligible employees, and the employing agency certifies that it is electing to exercise the provision as a result of curtailment of services. The provision would not be applicable to any eligible member who receives unemployment insurance payments during that period and any member who reenters the system would forfeit the additional service credit.

The provision would not be applicable to a contracting agency unless elected by the governing body.

The bill would take effect immediately as an urgency statute.

The bill also provides that the provision would be repealed January 1, 1979

Ch. 1325 (AB 4320) Garamendi. State parks, San Joaquin County

Past Budget Acts have contained appropriations from the State Beach, Park, Recreational, and Historical Facilities Fund of 1964 for capital outlay.

This bill would amend and supplement the Budget Act of 1976 by adding a section thereto to appropriate \$766,886 to the Department of Parks and Recreation, payable from the State Beach, Park, Recreational, and Historical Facilities Fund of 1964, for the acquisition and development of South County Park, County of San Joaquin, for the state park system. The bill would provide that none of the funds appropriated shall be available for expenditure unless and until such project has been recommended by the State Park and Recreation Commission and reviewed by the Secretary of the Resources Agency and the County of San Joaquin transfers to the state the land and property designated as the South County Park. The bill would require the department, in consideration for such a transfer, to improve such land and property for park purposes and to enter into a contract with the county providing for the exclusive control of the use of such land and property by the county for park purposes.

The bill would take effect immediately as an urgency statute.

Ch. 1326 (AB 4539) Boatwright. State parks: property acquisition.

No existing law provides specifically for the acquisition of Eugene O'Neill's former residence, the "Tao House," for the state park system.

This bill would appropriate \$255,000 from the Collier Park Preservation Fund to the Department of Parks and Recreation for acquisition of that house and surrounding grounds in the County of Contra Costa as a unit of the state park system. The funds would not be available for expenditure until the department enters into an agreement, having specified stipulations, with The Eugene O'Neill Foundation, Tao House, a California nonprofit corporation, or the County of Contra Costa, or both, for the development, improvement, restoration, care, maintenance, and control of the property by either or both of them and at the expense of either or both of them.

In addition, existing law authorizes the department to accept donations of money to be used in acquiring title to, or improving, real property in connection with the state park system

This bill would require the county or the foundation, or both, to donate to the state all funds, regardless of source, received for the express purpose of acquiring the property. The Director of Parks and Recreation would be required to transmit such funds to the State Treasurer for deposit in the Collier Park Preservation Fund.

The bill would take effect immediately as an urgency statute.

Ch. 1327 (AB 163) Berman. Santa Monica Mountains: planning and development.

There is no existing law providing for planning and development, on a regional basis of the Santa Monica Mountains in Ventura and Los Angeles Counties.

This bill, generally, would do all of the following:

- (1) Enact the Santa Monica Mountains Comprehensive Planning Act.
- (2) Create the Santa Monica Mountains Comprehensive Planning Commission, and prescribe its membership, powers, and duties.
- (3) Require the commission to make a detailed study of [the Santa Monica Mountains Zone, as defined] *, and to prepare a comprehensive and specific plan, which is capable of implementation, for the conservation and development of ~~the Santa Monica Mountains Zone, as defined~~ [such zone] *, and require it to submit to the Governor and the Legislature a final report not later than July 1, 1978.
- (4) Provide that the provisions of this bill shall remain in effect only until January 1, 1979, and as of that date are repealed.
- (5) Appropriate \$200,000 for the support of the commission
- (6) Provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill

Ch. 1328 (AB 4130) Garamendi. Indian Grinding Rock State Historic Park: appropriation.

Under existing law, the Park and Recreation Revolving Account of the General Fund is available for appropriation for various purposes only as separate items in the Budget Bill. The expenditure of funds in the account for development of an Indian cultural

center at Indian Grinding Rock State Historic Park has not been so appropriated.

This bill, notwithstanding such requirement, would appropriate \$477,000 from the account to the Department of Parks and Recreation for such purpose. The appropriation would, however, be subject to the requirement that funds available for such purpose from other sources, including another appropriation for that state historic park, be used to reduce the amount expended from the appropriation made by this bill.

This bill would take effect immediately as an urgency statute.

Ch. 1329 (AB 4160) Gualco. Tahoe regional planning

Existing law, contained in the Tahoe Regional Planning Compact, provides that the governing board of the Tahoe Regional Planning Agency shall be composed, in part, of members appointed from members of the governing bodies of counties and the city within the basin.

This bill would revise the provisions of the Tahoe Regional Planning Compact relating to the composition of the agency's board and its advisory planning committee by providing, among other things, that residents of the region may also be appointed as members of the agency's board.

This bill would also provide that no member or employee of the agency shall be liable in damages for any nonmalicious act or omission in the course of his official duties.

Existing law provides that every agency ordinance, rule or regulation shall establish a minimum standard applicable throughout the Tahoe Basin, and that any political subdivision may adopt and enforce an equal or higher standard applicable to the same subject of regulation in its territory.

This bill would provide, in addition, that no plan, ordinance, rule, regulation or policy of the agency shall establish a lower standard or lower use than any county, political subdivision, state or federal standard in effect on the day prior to the ratification of the amendments made by this bill; provided, however, that the standards or allowable uses set by any state, county, or political subdivision of a state, shall not be given effect in any other state. This bill further provides that any standards or allowable uses required in any plan, ordinance, rule, regulation, or policy of the agency may be amended as specified.

Existing compact provisions recognize as a permitted and conforming use any business or recreational establishment meeting certain requirements required by the state in which it is located to be individually licensed by the state. This bill would delete this exception.

Existing law allows public works projects to be constructed by a department of California or Nevada notwithstanding compliance with the regional plan. This bill gives the agency final approval power over public works projects of California or Nevada.

Existing law makes violation of an agency ordinance a misdemeanor. This bill would authorize the recovery of a specified civil fine against any person or governmental entity who violates any provision of the compact to be awarded to the agency to be used for enforcement purposes.

Existing provisions provide for additional representation on the agency board whenever a new city is formed within the region. This bill would delete the provision for such additional representation. It would also make records of the agency open to the Legislative Auditor of the Nevada Legislative Counsel Bureau instead of the Fiscal Analyst of the State of Nevada and to the State Controller of the State of California rather than the Legislative Analyst.

Existing compact provisions provide that if a proposal before the agency is not acted upon within 60 days, it is deemed approved. This bill would provide that if the majority vote of the members from 1 state does not agree with the majority vote of the members from the other state, a final action of rejection of the matter before the governing body shall be deemed to have been taken, and if a final action by vote does not take place within 60 days, the applicant may through a court of competent jurisdiction seek action in mandamus to compel a vote.

Existing law provides that the agency shall draw its support from the counties within the region according to a specified formula, but provides a \$150,000 limit upon such support.

This bill would revise the provisions which require support of the agency by counties within the region and would, in addition, require such support from the States of

California and Nevada, on the basis of a 2-to-1 ratio, respectively, as is necessary to support the operations of the agency.

This bill would specify that the agency shall be deemed a federal agency for purposes of the National Environmental Policy Act and would specify that the California member of the agency's board shall be considered state officials for purposes of the conflict-of-interest laws.

This bill would become effective only upon the adoption by the State of Nevada of the same amendments to the Tahoe Regional Planning Compact, ratification by the Congress, and approval by the President.

The bill provides that no appropriation is made to local agencies for reimbursement of any costs incurred pursuant to the bill because there are savings as well as costs in this act which, in the aggregate, do not result in additional net costs.

Ch. 1330 (SB 1277) Smith. Coastal resources.

The present California Coastal Zone Conservation Act of 1972, in effect until January 1, 1977, provides for the establishment of the California Coastal Zone Conservation Commission and six regional coastal zone conservation commissions, with prescribed membership, powers, and duties. The act requires the commission and regional commissions to perform designated planning functions in the coastal zone, as defined. Also, the act prohibits, with prescribed exceptions, developments within designated areas of the state's coastline without obtaining a permit from a regional commission or the commission on appeal.

This bill, in general, would do all of the following:

- (1) Enact the California Coastal Act of 1976.
- (2) Declare legislative findings relating to California coastal resources.
- (3) Prescribe policies of the state with respect to public access, recreation, marine environment, land resources, development, and industrial development, and provide, generally, for carrying out such policies in connection with management of the coastal resources.
- (4) (a) Establish, in the Resources Agency, the California Coastal Commission and six regional coastal commissions, and prescribe their membership, powers, and duties.
- (b) Terminate each regional commission within 30 days after the last required local coastal program has been certified, as prescribed, or on January 1, 1981, whichever is the earlier date.
- (5) Designate the commission as the successor in interest to all remaining obligations, powers, duties, responsibilities, benefits, and interest of the California Coastal Zone Conservation Commission or any regional coastal zone conservation commission established under the California Coastal Zone Conservation Act of 1972.
- (6) Require each city or county lying within the coastal zone, as defined, to prepare a local coastal program, as defined, and provide for the approval and certification of any such program by an appropriate regional commission or the commission, respectively, in conformity with the policies of the state set forth in this bill.
- (7) Require, with prescribed exceptions, any person wishing to perform or undertake any development on or after January 1, 1977, within designated areas, to obtain a coastal development permit, as defined, authorizing such development from the applicable local government if it has adopted specified procedures for the filing, processing, review, modification, approval, or denial of such permits or, if not, from a regional commission or the commission, as prescribed, which would have to meet prescribed requirements, and, in addition, require that a permit be obtained from a regional commission or the commission for certain prescribed developments.
- (8) Terminate, with prescribed exceptions, the permit authority of the commission or regional commission over any development proposed within the area covered by a local coastal program which has been certified and becomes effective, and delegate such authority to the appropriate city or county implementing such local coastal program.
- (9) Provide for specific policies and procedures for governing designated ports in the state.
- (10) Revise the existing law as to the jurisdiction of certifying sites and related power-plant facilities to be located within the coastal zone.
- (11) Provide for judicial review, declaratory and equitable relief, and civil penalties, including exemplary damages, in connection with the provisions of the bill.

(12) Provide that there is no appropriation for the 1976-77 fiscal year pursuant to Section 2231 of the Revenue and Taxation Code, and declare legislative intent in respect to the funding and implementation of local coastal programs. It would specify that if the Legislature fails to provide full funds for state-mandated local costs approved by the State Controller during the 1976-77 fiscal year and each subsequent year in which state-mandated local costs have been approved, the implementation of local coastal programs and the performance of other duties required by local governments or an executive order to be performed after January 1, 1977, under the California Coastal Act of 1976, shall be postponed, as prescribed. Provide procedure for the review of claims submitted by any local government by the commission and the State Controller, as prescribed.

Ch. 1331 (AB 2948) Hart. California coastal resources.

The provisions of Senate Bill No. 1277, very generally, would enact the California Coastal Act of 1976 and establish, in the Resources Agency, the California Coastal Commission and, for [a] * designated period, 6 regional coastal commissions, and prescribe their membership, powers, and duties, with respect to the management of resources within the coastal zone, as defined. SB 1277 would designate the commission as the successor in interest to all remaining obligations, powers, duties, responsibilities, benefits, and interest of the California Coastal Zone Conservation Commission or any regional coastal zone conservation commission established under the California Coastal Zone Conservation Act of 1972, in effect until January 1, 1977.

SB 1277, among other things, would prescribe policies of the state with respect to public access, recreation, marine environment, land resources, development, and industrial development; provide, generally, for carrying out such policies in connection with management of the coastal resources; and provide for specific policies and procedures for governing designated ports in the state.

This bill would:

- (1) Define "environmental sensitive area" and "local coastal elements";
- (2) Delete the definition of "major energy facility" for purposes of the California Coastal Act of 1976;
- (3) Make certain changes in such provisions relating to the policies for any development and industrial development in ~~designate~~ [a designated] * area of the state's coastline;
- (4) Modify certain provisions setting forth the policy for new or expanded tanker terminals within designated ports in the state;
- (5) Modify certain provisions relating to the development of treatment works;
- (6) Provide that the "coastal zone" as defined does not include lands subject solely to the direction of, or which is held in trust by, the federal government, its officers or agents;
- (7) Define "sea" to exclude the area under the jurisdiction of the San Francisco [Bay] * Conservation and Development Commission or any river, stream, tributary, creek, or flood control or drainage channel flowing directly or indirectly into such area;
- (8) Delete the provision stating development shall not interfere with the public's right to access acquired through custom;
- (9) Provide that regional commissions shall only take action or have powers or duties after the state commission has certified that the regional commission for any region is necessary to expedite the review of local coastal programs and coastal development permit applications and makes provision for such certification;
- (10) Provide that regional commissions shall terminate by June 30, 1979, rather than January 1, 1981;
- (11) Provide ~~for~~ [that] * certification under the Federal Coastal Zone Management Act of 1972 of any project outside the coastal zone that may have a substantial effect on resources within the jurisdiction of the San Francisco Bay Conservation and Development Commission shall be by that commission;
- (12) Provide for removal of a local coastal program or any portion thereof or coastal development permit application or appeal therefrom from the regional commission by the state commission upon specified conditions;
- (13) Specify that the state commission shall not set standards, establish programs, adopt regulations or improve controls that duplicate or exceed regulatory controls

established by any existing state agency, and provide for exchange of recommendations between the state commission and other specified state agencies,

(14) Provide that the designation of a sensitive coastal resource area shall be recommended to the Legislature for designation as such by concurrent resolution, provide that if such resolution is not adopted within two years the area shall cease being a sensitive coastal resource area and prescribe procedure for legislative consideration.

(15) Provide that SB 1277 is not intended to authorize the taking or damaging of private property for public use without the payment of compensation therefor

(16) Revise an exception to the requirement for a coastal development permit for urban land areas meeting specified conditions if the local agency so requests and the [state] * commission makes requisite findings;

(17) Authorize a judicial procedure for removal of a local coastal program, or any portion thereof, or any coastal development permit application or an appeal therefrom from a regional commission to the state commission; and

(18) Revise the date by which a vested right not requiring approval for development may accrue from the date SB 1277 is chaptered to January 1, 1977 [, and delete a provision that a vested right shall be deemed abandoned if construction of the exempted development has not in good faith been pursued within three years after a claim of exemption has been requested and approved;] *

(19) ~~Would delete~~ [Delete] * authority of regional commissions to apply for and accept grants, appropriations, and contribution in any form; and

(20) Make various technical changes in SB 1277.

This bill would provide that it shall become ~~effective~~ [operative] * only if SB 1277 is enacted

Ch. 1332 (AB 4239) Knox. Native American heritage

Under existing law there is no governmental entity responsible for identifying and cataloging places of cultural significance to Native Americans

This bill would create and empower a Native American Heritage Commission to accomplish that purpose. The bill would specify qualifications for membership, manner of appointment, reimbursement of expenses, and powers and duties of the commission generally

The bill would after July 1, 1977, prohibit public agencies, with specified exceptions, and private parties using, occupying, or operating on public property from interfering with the free exercise or expression of Native American religion and from causing severe and irreparable damage to designated types of sacred sites, except on a clear and convincing showing that the public interest and necessity so require.

The bill would authorize the commission, upon making specified findings in accordance with specified procedures, to bring an action to prevent severe or irreparable damage to, or assure appropriate access for Native Americans to, such sites, and would direct the court, upon making specified findings, to issue an injunction, unless it finds, on clear and convincing evidence, that the public interest and necessity require otherwise.

The bill would authorize the commission to prepare an inventory of Native American sacred places located on public lands and require the commission to review current administrative and statutory protections accorded to such places and to report to the Legislature on specified matters by January 1, 1979.

The bill would appropriate \$33,000 for support of the commission, and would specify that there shall be no reimbursement of local agencies for costs incurred under the bill

Ch. 1333 (AB 1246) Ingalls. County transportation commissions.

(1) Under existing law, there is no public entity designated as a county transportation commission

The bill would create a county transportation commission in Los Angeles County, Orange County, Riverside County, and San Bernardino County to coordinate transit service, to approve public mass transit system and federal aid and state highway planning, and to designate the operators of transit guideway systems. The Los Angeles County Transportation Commission would be required to submit to the Legislature a progress report not later than July 1, 1977, and a final report with recommendations not later than February 1, 1978, on the transit situation in Los Angeles County.

(2) Under the Mills-Alquist-Deddeh Act, funds are allocated for, among other things, administrative and planning functions.

The bill would, after deductions for specified administrative and planning allocations, authorize allocations up to three-fourths of 1% of funds available under that act to multicounty designated transportation planning agencies which include areas under the jurisdiction of the commissions, 1% of such funds to the commissions in Los Angeles and Orange Counties, and 2% of such funds for the commissions in Riverside and San Bernardino Counties for transportation planning.

(3) Under that act, funds available for allocation in the 4 counties with the commissions are allocated by the multicounty designated transportation planning agency.

The bill would require the multicounty designated transportation planning agency to allocate funds only for those proposals approved by the commissions to achieve a coordinated public transportation system.

(4) Under that act, the allocation for each transit operator operating in Los Angeles County within the Southern California Rapid Transit District is determined by its public transit service mileage within the district. The district is authorized to file at any time a claim for an increase in its allocation whenever the amount of funds available for allocation within the district is increased.

The bill would repeal the mileage formula, but would require the Los Angeles County Transportation Commission to consider, among other things, the public transit mileage of each operator in the transit district in approving those proposals in Los Angeles County to be funded under that act.

The bill would delete the existing authority of the district to file at any time a claim for an increase in its allocation whenever the amount of funds available for allocation within the district is increased. The transit operators, other than the district, would be allocated not less than 15% of the funds in the local transportation fund attributable to the area within the district.

(5) Under the Southern California Rapid Transit District Law, the Southern California Rapid Transit District is authorized to impose transactions and use tax for transit purpose if authorized by the electors thereof.

The bill would delete all authority of the district to impose such a tax if the district has not been granted such authority, prior to January 1, 1977, by the district electors.

The Los Angeles County Transportation Commission, in such a case, would be authorized to impose a $\frac{1}{2}$ % transactions and use tax in Los Angeles County for public transit purposes, if authorized by a majority of electors voting on the measure to grant such authorization. The commission would then have such power and authority of the district to plan, design, and construct an exclusive public mass transit guideway system in the county.

(6) Under existing law, the regional transportation plans for the areas under the jurisdiction of the commissions are required to be prepared by councils of governments.

The bill would make the multicounty designated transportation planning agency (the Southern California Association of Governments, which is a council of government) responsible for long-term transportation system planning, and the commissions responsible for short-range capital and service planning, in the areas under the jurisdiction of the commissions. The commissions also would develop the schedule of improvements and the financial plan portion of the regional transportation plan, with the agency authorized to make necessary modifications.

(7) Under the Urban Mass Transportation Act of 1964, as amended by the National Mass Transportation Assistance Act of 1974, the Secretary of Transportation may make grants to state and local public bodies for the financing, construction, and operation of public transportation services in urban areas.

The bill would require any public entity in an area under the jurisdiction of a commission in applying for such grants to conform to such terms as prescribed by the commission.

(8) Under existing law, the Department of Transportation may enter into agreements with public entities to design or construct transit systems.

The bill would authorize the commissions to enter into agreements with the department for it to provide services in connection with the development and construction of any approved guideway and rapid transit system.

(9) The bill would make other related and conforming changes.

(10) The bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section, nor shall there be any appropriation made by this bill, for a specified reason.

Ch. 1334 (AB 2937) Thurman. Labor: employee housing.

The existing law requires every person operating a labor camp to obtain an annual permit to operate issued by the enforcement agency.

This bill would permit the enforcement agency to issue a permit to operate a labor camp consisting only of permanent housing, as defined, for a longer period of time, not to exceed five years, with specified exceptions, but would require the enforcement agency to make specified written findings indicating the reasons for issuing such a permit for a period in excess of one year.

The existing law requires the enforcement agency to annually inspect all registered labor camps.

This bill would except labor camps consisting only of permanent housing which have been issued multiyear permits from the annual inspection requirement.

The existing law provides that any labor camp not conforming to the Employee Housing Act shall be abated as a public nuisance if not made to conform within a period of time, not exceeding 30 days, allowed by the enforcement agency after written notice.

This bill would permit the enforcement agency, prior to initiation of such abatement proceedings, to grant 2 time extensions, not exceeding 30 days each, where the owner or operator of the labor camp is proceeding with reasonable diligence, or where conditions beyond the control of the owner or operator prevent conformance with the act.

The existing law defines "permanent labor camp" to mean any labor camp which is not temporary or seasonal, but does not define "seasonal labor camp."

This bill would define "seasonal labor camp" to mean any camp operated annually on the same site and which is occupied for not more than 180 days a year.

Ch. 1335 (AB 3623) Chacon Housing finance: predevelopment loans.

Existing law authorizes the California Housing Finance Agency to expend moneys in the California Housing Finance Fund to make development loans, construction loans, mortgage loans, and neighborhood improvement loans to housing sponsors to finance housing developments.

This bill would create the Housing Predevelopment Loan Fund in the State Treasury which would be administered by the Director of Housing and Community Development and such persons within the department as the director may designate. All money in the Housing Predevelopment Loan Fund, including any interest on loans made therefrom, would be continuously appropriated by the bill to the Department of Housing and Community ~~Department~~ [Development] * to make predevelopment loans to local governmental agencies or nonprofit corporations, as defined, for assisted housing for low-income persons in rural areas.

The interest rate for predevelopment loans would be the same as the average rate returned by the investment of state funds through the Pooled Money Investment Board for the previous 5 fiscal years.

The bill would appropriate \$535,000 to the Housing Predevelopment Loan Fund, with \$500,000 allocated for predevelopment loans, and \$35,000 for expenses of the Department of Housing and Community ~~Department~~ [Development] * in administering the predevelopment loan program.

Ch. 1336 (AB 3672) Montoya. Redevelopment: blighted areas.

(1) Under existing law, area included with a redevelopment project may be contiguous or noncontiguous and may include lands, buildings, or improvements which are not detrimental to public health, safety, or welfare but are necessary for the effective redevelopment of the area of which they are a part.

This bill would allow the inclusion of noncontiguous area only if the noncontiguous area is either blighted or necessary for effective redevelopment and would prohibit inclusion of land, buildings, or improvements for the purpose of using tax increment revenues on the property or improvements without other substantial justification for its inclusion. Redevelopment agencies would be prohibited from acquiring property, other than vacant land, in noncontiguous, unblighted areas included within a redevelopment project area.

(2) Under existing law, a determination by the legislative body that an area is blighted is conclusive. However, provision is made for specified legal actions concerning the redevelopment plan.

This bill would specifically declare that such finding shall not preclude a properly filed and maintained action on the validity of the plan, the adoption or approval of such plan, on findings on determination of the redevelopment agency or legislative body.

(3) Under existing law, there are no provisions specifying the effect of the failure of a redevelopment agency to take property by eminent domain within 3 years of the adoption of a redevelopment plan.

This bill would provide the owners of property subject to eminent domain in such a situation for 3 years may offer to sell the property to the agency at fair market value and if the agency does not purchase the property at fair market value within 18 months to maintain an action in inverse condemnation or to compel an exemption of the property from the power of eminent domain.

(4) Under existing law, there is no express procedures for lease or sale of property below fair market value by a redevelopment agency.

This bill would so provide

(5) Under existing law, a redevelopment agency may acquire and pay for publicly owned property of benefit to the project area.

This bill would require, instead, that to acquire and pay for publicly owned property, the publicly owned property shall be of benefit to the project area or the immediate neighborhood in which the project is located

(6) This bill would also repeal and recodify various legislative findings relating to redevelopment and make other technical changes.

Ch. 1337 (AB 3674) Montoya. Redevelopment: tax increments.

(1) Under existing law there are no express requirements for a fiscal analysis of the financial impact of tax increment financing of redevelopment.

This bill would provide detailed requirements for evaluation and approval of redevelopment plans utilizing tax increment financing. Specifically, the bill would:

(a) Require transmission of a preliminary redevelopment plan to the legislative bodies of affected agencies and the State Board of Equalization

(b) Require a report with specified contents, including the identification of the affected tax agencies and the tax impact upon those agencies, to be prepared by the county auditor and tax assessor or their counterparts and submitted to the redevelopment agency, affected taxing authorities, and the State Board of Equalization

(c) Require additional reports with specified exception on areas added to a project to be submitted to the redevelopment agency, affected taxing authorities, and the State Board of Equalization when area is added.

(d) Require plans to specify the bond debt limit, if bonds are to be repaid in whole or in part with tax increment funds.

(e) Require one of prescribed alternative findings if less than 20% of tax increment funds are to be used for improving and increasing the community's supply of housing for persons and families of low or moderate income or very low income households and, in any litigation to challenge or attack such a finding, impose upon the redevelopment agency the burden of establishing that the finding is supported by substantial evidence in light of the entire record before it.

(f) Authorize the creation of a fiscal review committee if the redevelopment plan provides for tax increment financing.

(g) Provide a specified procedure, including protests and judicial review, for making allocation of tax increment funds.

(h) Make related technical and procedural changes.

(i) Require the State Board of Equalization to establish a schedule of fees for filing and processing statements and maps which would be required to be filed with the board and require that the agency forwarding the statement and map to accompany them with the necessary fee

(2) Under existing law, every redevelopment plan prepared by the redevelopment agency for an area which contains low- or moderate-income housing must contain a neighborhood-impact element.

This bill would delete this requirement and, instead, require that the report accompa-

nying every redevelopment plan submitted by the redevelopment agency to the legislative body contain a neighborhood-impact report if there is low- or moderate-income housing in the project area.

(3) This bill also provides that no money is appropriated nor any obligation incurred for reimbursement to local agencies of costs that would be incurred under the bill.

Ch. 1338 (AB 4295) Fazio. Community redevelopment: merged areas: financing.

Present law authorizes redevelopment plans adopted under the Community Redevelopment Law to provide for allocation to the redevelopment agency of a prescribed portion of the tax revenues derived from property in the redevelopment project area in order to finance redevelopment. Such allocation scheme is commonly known as the "tax-increment" method of financing redevelopment. Present law authorizes the legislative body of the community in which a redevelopment project area is located to amend the redevelopment plan for such area to include additional land within the project area.

This bill would authorize merger of contiguous and noncontiguous redevelopment project areas within the jurisdiction of the redevelopment agency of the City of Sacramento for the purpose of application of tax revenues allocated to the agency under the "tax-increment" method of financing. However, such provisions would be applicable only to project areas for which final redevelopment plans have been adopted on or before June 30, 1976. This bill would require, subject to the terms of prior indebtedness, that not less than 50 percent of tax increment revenues derived from project areas merged under the bill be used, as prescribed, to provide land, or improve sites for, or construct or rehabilitate housing for, or provide housing subsidies for, persons and families of low or moderate income and very low income households, as defined by the Zenovich-Moscone-Chacon Housing and Home Finance Act. The bill would specify rules for the division of tax-increment revenues in a merged project area among constituent project areas included therein.

The bill, for implementation of its purposes, would authorize the City Council of Sacramento to delegate any or all of the powers of a community development commission to the redevelopment agency.

This bill would also require, where project areas are merged under the bill or where a redevelopment plan is amended to add additional area to the existing redevelopment project area, that tax-increment revenues be separately accounted for with respect to each such area.

Ch. 1339 (AB 4473) Sieroty. Redevelopment: housing requirements.

(1) With respect to redevelopment project areas for which the final redevelopment plan is adopted on or after January 1, 1976, and areas annexed to an existing redevelopment project by amendment of a redevelopment project by amendment of a redevelopment plan on or after such date, present law requires the redevelopment agency to replace, as prescribed, low- and moderate-income housing destroyed or removed from the low- and moderate-income housing market by redevelopment.

This bill would require redevelopment agencies, prior to destruction or removal of low- and moderate-income housing for redevelopment, to adopt by resolution a replacement housing plan which includes location and financing information and a finding as to approval under Article XXXIV of the State Constitution or that is not required. This bill would also require a redevelopment plan adopted or amended to expand the project area after the effective date of the bill to contain provision for compliance with such requirements.

(2) Article XXXIV of the State Constitution prohibits development, construction, or acquisition of a low-rent housing project by any state public body until it receives the approval of the voters at an election held for such purpose. Article XXXIV provides that legislation not in conflict may be enacted to facilitate its operation, but that any law enacted in conflict is superseded by Article XXXIV.

This bill would specify procedures for judicial action to determine the validity of prescribed actions of defined local public entities under Article XXXIV. The bill would exempt from the Article XXXIV election requirement (1) any privately owned housing development receiving no property tax exemption not fully reimbursed to all taxing entities and in which not more than 49 percent of the development units may be occupied by persons of low income, or (2) any privately owned housing development,

is not exempt from ad valorem taxation by reason of public ownership, and is not financed by means of direct long-term public financing.

(3) The term "persons and families of low or moderate income" is defined for purposes of the Zenovich-Moscone-Chacon Housing and Home Finance Act.

This bill would revise the definition of the term "persons and families of low or moderate income" for such purposes.

Ch. 1340 (SB 1943) Nejedly. Tear gas: mace.

Under existing law, the purchase, possession, and transportation of tear gas, including mace and tear gas weapons, is generally prohibited except for specified persons licensed by the Department of Justice.

This bill would permit on and after July 1, 1977, the purchase, possession or use of tear gas and tear gas weapons for the projection or release of tear gas approved by the Department of Justice, including a specified warning, by any person, with certain exceptions, if used solely for self-defense and training purposes, and if the person has completed a certified course in the use of tear gas and tear gas weapons and received an identifying card so stating, and has a permit from the police chief or sheriff.

The bill would require the police chief or sheriff to issue a permit to any person who has completed such a course, is not a minor, and has not been convicted of a felony.

The bill would make it a violation of law for a vendor to sell such items to a person failing to present a permit issued by a police chief or sheriff.

The bill would require, with the cooperation of the Commission on Peace Officers Standards and Training, the department to develop standards for courses in the use of tear gas and tear gas weapons; and develop, with the cooperation of the State Department of Health, standards and promulgate regulations regarding tear gas and tear gas weapons which may lawfully be purchased, possessed, and used.

The bill would provide that if Senate Bill 42 is chaptered a different term of imprisonment would be imposed for the use of tear gas or tear gas weapons other than for self-defense.

This bill would provide that neither an appropriation is made nor an obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill for specified reasons.

Ch. 1341 (SB 1997) Zenovich. Housing finance.

(1) The Zenovich-Moscone-Chacon Housing and Home Finance Act created and prescribed the organization and functions of the California Housing Finance Agency.

Present law prescribes a per diem allowance for attendance by board members at meetings thereof. Present law, except with respect to one member of the board, prohibits any board member from having any prescribed interests in a housing sponsor or housing development financed or assisted under the act.

This bill would authorize per diem compensation for meetings of the board committees, and would require board members who have financial interests in housing sponsors and housing developments financed by the agency to make prescribed disclosure and require that such board members refrain from deliberation and voting with respect thereto.

This bill would also delete provisions permitting the agency to accelerate a loan or prospectively terminate a contract of financial assistance in prescribed conflict-of-interest situations.

(2) Present law requires the Commission of Housing and Community Development to submit a proposal to the Legislature for adoption as the California Statewide Housing Plan, but prescribes no specific date for submission of such proposal.

This bill would require the commission to submit the proposal to the Legislature on or before February 1, 1977.

(3) The agency is authorized to issue revenue bonds, notes, and other evidence of the agency's indebtedness which are not a pledge of the faith or credit of the state. Present law limits the amount of such indebtedness to \$300,000,000 of nonguaranteed indebtedness and \$150,000,000 of guaranteed indebtedness, as prescribed.

This bill would revise the provisions defining what is guaranteed indebtedness and would authorize the agency to issue nonguaranteed indebtedness in lieu of guaranteed indebtedness for the purpose of such limitations. This bill would also revise current law

with respect to the types of housing developments and residential structures which may be financed with the proceeds of such indebtedness, the sales price of evidences of such indebtedness, and resolutions authorizing such indebtedness. The bill would expressly authorize issuance and renewal of bond anticipation notes and construction loan notes. The bill would revise present provisions requiring the agency to report to the Legislature and Governor specified deficiencies in revenues of the agency to pay principal and interest on such indebtedness, make sinking fund payments, and maintain bond reserve funds, to require such reports only as to events of default, as defined in the resolution authorizing the indebtedness.

This bill would revise provisions respecting trustees for bondholders to delete provisions authorizing a corporate trustee to act in lieu of the State Treasurer in instances where bond counsel advises that there would otherwise be a conflict of interest, and the bill would also declare that it is not a conflict of interest for the State Treasurer to act as a trustee under the Zenovich-Moscone-Chacon Housing and Home Finance Act.

(4) Present law prohibits the agency from issuing such bonds or other evidences of indebtedness if a bond reserve fund securing such indebtedness or previously incurred indebtedness falls below a specified reserve requirement.

This bill would limit such prohibition to instances in which reserves fall below the reserve requirement with respect to the bond reserve fund which would secure the bonds or other evidences of indebtedness proposed to be issued.

(5) Under present law, rehabilitated housing developments financed by mortgage loans must be certified to be in good condition by the local code enforcement agency or the Department of Housing and Community Development.

This bill would alternatively authorize the agency to require the homeowner, by contract, to conform to rehabilitation standards within a time and in a manner specified by the agency.

(6) Under existing law, all meetings of the board of directors of the agency are not required to be open to the public.

This bill would require that all meetings of the board and its committees be open to the public, except when executive sessions are held.

(7) Under present law certain relocation payments made to persons or families displaced in making a site or structure available for construction or rehabilitation financed by the agency are limited to the reasonable cost of a dwelling adequate to accommodate the displaced person or family, without regard to whether the replacement dwelling is comparable to the dwelling formerly occupied, and such a relocation payment is required to be reduced by the amount received from the sale of the dwelling formerly occupied.

This bill would delete the above limitation.

(8) This bill would make other technical and definitional changes in the Zenovich-Moscone-Chacon Housing and Home Finance Act.

Ch. 1342 (SB 1810) Gregorio. Housing finance.

(1) The Zenovich-Moscone-Chacon Housing and Home Finance Act authorizes the California Housing Finance Agency to designate participating concentrated rehabilitation areas and participating mortgage funds assistance areas meeting specified criteria. Participating concentrated rehabilitation areas are broadly characterized as deteriorated residential areas where there are certain governmental commitments to upgrade the area, and participating mortgage funds assistance areas are residential areas characterized by a lack of available mortgage financing. In participating concentrated rehabilitation areas the agency is authorized to make available certain special types of assistance, including purchase of bonds issued under the Marks-Foran Residential Rehabilitation Act of 1973 and loan programs directed primarily towards the rehabilitation of existing housing. In participating mortgage funds assistance areas the agency is authorized to conduct such loan programs and other specified types of loan programs.

Under different provisions of the Zenovich-Moscone-Chacon Housing and Home Finance Act, the agency is required to designate participating concentrated rehabilitation areas, participating community improvement areas, and participating mortgage funds assistance areas for the purpose of providing specified loan-insurance programs in such areas. Broadly characterized, such participating concentrated rehabilitation areas are areas in which specified rehabilitation loans are available and residential areas in which

there is significant deterioration; participating community improvement areas are areas characterized by deterioration which is not sufficiently concentrated to be suitable for concentrated code enforcement, and participating mortgage funds assistance areas are areas in which there is a lack of available mortgage financing. Additionally, certain governmental commitments to upgrade the area are elements in the designation of participating community assistance areas and also in participating concentrated rehabilitation areas, except with respect to participating concentrated rehabilitation areas designated solely because of the availability of specified rehabilitation loans.

This bill would revise and consolidate such provisions and would authorize the provision of such financing and loan-insurance assistance, as prescribed, in areas designated as concentrated rehabilitation areas, scattered-site rehabilitation areas, and mortgage assistance areas. The bill would also make revisions elsewhere in the Zenovich-Moscone-Chacon Housing and Home Finance Act to conform to the above changes.

(2) Under present law, the obligation of the California Housing Finance Agency on its contracts to insure loans or bonds issued under the Marks-Foran Residential Rehabilitation Act of 1973 is limited to amounts in the Housing Rehabilitation Insurance Fund made available therefor under the respective contracts of insurance.

This bill would require all contracts of insurance of the agency to contain a prescribed statement disclaiming the liability of the state or its political subdivisions for payment, with respect to the contracts of insurance.

(3) Present law authorizes the agency, in connection with its programs of loan and bond insurance, to initiate programs of coinsurance with specified local agencies, agencies of the federal government, and private mortgage insurers.

This bill would specifically authorize the agency to coinsure loans made or originated by defined approved lending institutions which are otherwise insurable under the Zenovich-Moscone-Chacon Housing and Home Finance Act.

(4) Under present law, the Governor is required to appoint the president of the agency.

This bill would make such appointment subject to Senate confirmation.

(5) Under existing law, all meetings of the board of directors of the agency are not required to be open to the public.

This bill would require that all meetings of the board and its committees be open to the public, except when executive sessions are held.

(6) This bill would make clarifying and definitional changes.

(7) The bill would appropriate \$5,000,000 to the Housing Rehabilitation Insurance Fund with at least 25% of such moneys required to be used for loan insurance on rehabilitation loans.

Ch. 1343 (SB 2082) Petris. Housing authorities.

(1) Where the governing body of any city or county has elected to declare itself the housing authority for the city or county, the governing body is authorized to appoint a housing commission with such advisory functions as are provided by the ordinance creating it.

This bill would specify that the function of such a commission is to review and make recommendations on all matters before the housing authority, with prescribed exceptions, prior to action thereon and would authorize the governing body to provide by ordinance or resolution for procedures for review and recommendation, and for further functions of the commission. This bill would authorize the governing body to delegate any of its functions as the commission of the housing authority to such housing commission.

(2) Under present law, housing authorities are authorized to provide leased housing to persons of low income.

This bill would authorize housing authorities to provide leased housing anywhere in the county in which it operates, but the authority could not make commitments to provide leased housing outside its area of operation in advance of construction without the consent of the governing body of the city or county having jurisdiction of the site of construction, and could not provide leased housing in another housing authority's area of operation if the governing body of the city or county in which such other authority is located disapproves in advance.

(3) This bill would also make a technical, clarifying change in the Housing Authorities Law.

Ch. 1344 (SB 2112) Nejedly. Tangible personal property: reports.

Existing law requires every secondhand dealer, as defined, to report all identifiable secondhand tangible personal property purchased, taken in trade or in pawn, accepted for sale or consignment, or accepted for auctioning, to the chief of police or to the sheriff, as specified, within a designated time following its acquisition.

Existing law requires every dealer of business machines, as defined, to report all used business machines which he has purchased, taken in trade, accepted for sale or consignment, or which he has repaired, to the chief of police or to the sheriff in accordance with the provisions of existing law applicable to secondhand dealers.

This bill would require business machine dealers to report all used business machines repaired if required to do so by the chief of police or sheriff.

Ch. 1345 (SB 2128) Marks. Buildings: rehabilitation.

Under existing law, the Marks-Foran Residential Rehabilitation Act of 1973 authorizes cities, counties, cities and counties, redevelopment agencies, and housing authorities to make long-term, low-interest loans to finance residential rehabilitation in depressed residential areas in order to encourage the upgrading of property in such areas. However, there is no specific provision for financing rehabilitation of historically or architecturally significant buildings by local public agencies.

This bill would enact the Marks Historical Rehabilitation Act of 1976. The act contains provisions which would:

(1) Authorize the issuance of bonds and bond anticipation notes by a city, county, city and county, or redevelopment agency functioning under the Community Redevelopment Law for the purpose of financing historical rehabilitation and for the purpose of funding or refunding such bonds or notes.

(2) Require the adoption, by ordinance or resolution of the legislative body of the local agency, of a historical rehabilitation financing program meeting specified requirements prior to issuing bonds or bond anticipation notes.

(3) Require the historical rehabilitation financing program to contain criteria for the selection of historical properties and areas for financing, the designation of historical rehabilitation areas, and procedures for the selection and financing of rehabilitation projects.

(4) Require citizen participation in developing a historical rehabilitation financing program.

(5) Allow the historical rehabilitation financing program to contain provisions on standards of rehabilitation, limitations on degree or kind of historical rehabilitation, preservation of property rehabilitated with financing under the act, public capital outlay for ancillary improvements, relocation assistance, and rent control on rehabilitated property as a condition of securing historical rehabilitation financing.

(6) Provide procedures for issuance of bonds and notes, including a provision prohibiting the pledging of tax revenues to secure the bonds or notes.

(7) Provide detailed procedures for rehabilitation loans, including authority for setting interest rates, fees, and charges to pay the principal and interest, maintain reserves, and pay administrative costs of the local agency.

(8) Require the rental or sale of residences for which rehabilitation has been financed pursuant to the act to be open to all as to rental and sale, regardless of race, color, religion, national origin, or ancestry; require contractors and subcontractors engaged in such rehabilitation to provide equal opportunity for employment; and require contracts and subcontracts for historical rehabilitation financed under the act to be let without discrimination as to race, sex, marital status, color, religion, national origin, or ancestry.

The bill would also provide that there is no reimbursement of costs incurred by local agencies pursuant to the bill for a specified reason.

Ch. 1346 (SB 332) Schrader. Real estate licensees.

While existing law contains certain educational requirements for applicants for real estate broker licenses, there are no provisions imposing continuing educational requirements upon real estate broker licensees after issuance of a license.

This bill would authorize the Real Estate Commissioner to appoint a committee of licensees and persons with expertise in real estate education to advise him regarding continuing education, and would require him, among other things, to adopt regulations

imposing continuing educational requirements of 45 clock hours of specified courses, seminars, or conferences per 4-year period preceding renewal of licenses and to establish standards to assure reasonable currency of knowledge as a basis for a level of real estate practice which will provide a high level of consumer protection and service

This bill would prohibit, commencing on January 1, 1981, the renewal of an active broker or salesman license, unless the applicant has completed the required continuing educational requirements.

The bill provides that the above provision shall be operative only until January 1, 1985.

This bill also would make related provisions for extension of licenses, reinstatement of licenses, and issuance of temporary licenses under specified circumstances.

This bill also would require the commissioner to establish application fees for approval of such educational courses, seminars, or conferences in an amount sufficient to cover the cost of processing such applications, and to report to the Governor and the Legislature before February 15, 1982, and before February 15, 1983, on the experience for the prior calendar year of the number of licenses renewed and an analysis showing the source of education presented by the applicants for renewal.

Ch. 1347 (SB 627) Behr. Workers' compensation for prisoners.

Existing law does not, with certain exceptions, provide workers' compensation coverage for injuries or illnesses sustained by persons incarcerated in state penal or correctional institutions.

This bill would specify that persons incarcerated in state penal or correctional institutions are to be considered "employees" eligible for workers' compensation benefits for injury or death arising out of and in course of assigned work; but that such persons are not entitled to temporary disability indemnity benefits while incarcerated, and that while incarcerated, such other benefits to which they may be entitled shall not be paid to them, and the period of benefit payment shall instead commence upon release from incarceration. Such benefits would cease during any period of reincarceration.

The bill would provide that a state prisoner's average weekly earnings for purposes of determining temporary and permanent disability indemnity would be the amount computed in accordance with specified provisions of law.

It would also require that a claim for such benefits in disputed cases be filed with Workmen's Compensation Appeals Board within a specified period, and permit the inmate one year from the date of his release or discharge in which to file an original application with the appeals board.

The bill would permit the appointment of counsel by the referee of the appeals board for an inmate upon his request or if the issues are complex, to be paid by the Department of Corrections. It would also delete the various provisions declaring inmates not be employees of state.

The bill would further require the administrative director of the Division of Industrial Accidents to establish procedures for rehabilitation of injured inmates, and would require an inmate to cooperate in carrying out a rehabilitation plan established for him.

Ch. 1348 (SB 1687) Mills. Public transportation.

(1) Under the Mills-Alquist-Deddeh Act, the funds are allocated under that act for various purposes under prescribed priorities.

This bill would revise the priorities and specify the priority for community transit services, as follows:

Purposes	Priorities	
	Existing	Revised
Administrative cost	1st	1st
Planning by statutorily created transportation planning agencies.....	2nd	2nd
Increase passenger rail service by the National Railroad Passenger Corporation (Amtrak) between Los Angeles and San Bernardino and San Diego (see (8) below)	3rd	4th
Improvement of passenger rail under agreements by counties and cities with the Department of Trans-		

portation	3rd	7th
Planning by the council of governments in the area under the jurisdiction of the San Diego Metropolitan Transit Development Board	4th	5th
Planning and administration of exclusive public mass transit guideways by that board	5th	6th
Exclusive pedestrian and bicycle facilities—up to 2% of remaining funds	6th	3rd
Public transportation	7th	9th
Local street purposes, exclusive pedestrian and bicycle facilities, contracts with Amtrak for passenger rail services, and contracts by a county or a city with specified entities for public transportation and for transportation services for any group requiring special transportation assistance	8th	10th
Community transit services as specified in (2) below	None	8th

(2) Under that act, the San Diego Metropolitan Transit Development Board is the statutorily created transportation planning agency for the area under its jurisdiction and thus is eligible to be allocated 3% of the revenues for transportation planning in addition to being eligible for allocations for planning and administration of exclusive public mass transit guideways

The bill would delete the eligibility of the board to receive 3% of the revenues for transportation planning, but would require the transportation planning agency for the area in which the board is located to allocate funds under the act as the board directs.

The bill would make the board ineligible for allocations under that act if it fails to appoint a general manager, as would be required under the Mills-Deddeh Transit Development Act, as proposed to be amended by Senate Bill 1425, by January 31, 1977.

(3) Under the Mills-Alquist-Deddeh Act, operators may file claims with the transportation planning agencies for public transportation purposes.

The bill would authorize operators to also file claims for ~~contract~~ [contracts] * with common carriers operating under a franchise or license to provide transportation services during peak hours.

The bill would also require, except in those areas where the funds may be used for local street and road purposes, until July 1, 1980, up to 5% of the remaining money in the local transportation fund, after prior allocations as specified in (1) above, be allocated to operators, counties, and cities for community transit services, which is defined, in general, as transportation services which link intracommunity origins and destinations, unless the transportation planning agency (or a county transportation commission if Assembly Bill No. 1246 is chaptered and becomes effective) makes a specified finding. Such services could be provided under contracts with common carriers of persons operating under a franchise or license or nonprofit corporations. The Auditor General, in cooperation with the Legislative Analyst and the Department of Transportation, would be required to commence an evaluation of such services not later than July 1, 1979, and to submit a report of findings and recommendations to the Legislature not later than January 1, 1980.

(4) Under that act, the Secretary of the Business and Transportation Agency has adopted a regulation requiring operators to maintain financial records in accordance with a specified accounting system and to submit financial statements and reports at the end of each fiscal year to the transportation planning agencies having jurisdiction over them.

The bill would require that the rules and regulations adopted by the secretary with respect to reporting and auditing procedures apply to all expenditures of funds allocated pursuant to the act.

The bill also would require the State Controller, in cooperation with the Department of Transportation and the operators, to design and adopt a uniform system of accounts and records, to be implemented not later than January 1, 1978, from which the operators would be required to prepare and submit annual reports to the transportation planning agencies.

(5) Under that act, in general, the funds allocated may not exceed 50% of the operator's budget after deduction for approved federal grants estimated to be received. The 50% requirement does not apply during the first 5 years of an operator's operation or for extension of public transportation services due to territorial annexation or due to contracts with a city, county, or transit district, if the operation or extension of service began after June 30, 1972.

The bill would require that, during the fifth year of such operation or extension of services, the funds allocated not exceed 75% of the operator's budget, after deduction of approved federal grants estimated to be received, with respect to the operation or extension. In the case of a joint powers entity succeeding another joint powers entity in providing such services, the 5-year exemption would not apply to the succeeding entity except for that portion of a 5-year exemption not used by the prior entity.

The bill would authorize the State Transportation Board to grant a waiver to any operator in a county with a population of less than 500,000, as determined by the 1970 federal decennial census, for a period not to exceed 2 years, from the 50% requirement; [and] * the proposed 75% requirement during the fifth year of operation; ~~and the local source funding requirement as set forth in (9) below~~, if the board makes specified findings regarding the operator. The board would be required to condition the waiver granted that the operator achieve a specified goal to minimize its operational deficits by the end of the waiver period and could impose any other condition on the waiver it would deem appropriate to improve the operational efficiency of the operator. The applications for waivers would be submitted to the Department of Transportation for evaluation, and the department would be required to submit its recommendations on an application to the board within 60 days after receiving the application.

(6) Under that act, there is no prohibition against an operator receiving funds under that act for public transportation purposes even though it routinely staffs with 2 or more persons a vehicle for public transportation purposes designed to be operated by 1 person.

The bill would prohibit, on and after July 1, 1977, an operator from receiving funds under that act for such purposes in such cases

(7) Under that act, operators may budget and expend funds, until June 30, 1977, available under that act for operating purposes to enable them to receive the maximum amount of matching federal funds for such purposes if such funds become available.

The bill would extend that authorization until June 30, 1980

(8) Under that act, the Counties of San Diego, Orange, and Los Angeles are authorized to create a joint powers entity and allocate \$260,000 annually, until July 1, 1978, to contract with the National Railroad Passenger Corporation for additional train services between Los Angeles and San Diego

The bill would delete this authorization.

(9) Under that act, no funds may be allocated to an operator for public transportation purposes if there is a reduction in local financial support, except from fares, for such purposes below the average of such support for the 5 fiscal years prior to July 1, 1972. In determining whether there is a reduction, the bill would also exempt funds allocated from the State and Local Government Fiscal Assistance Trust Fund (revenue sharing funds).

The bill would prohibit allocation of funds to an operator if the reduction is below the average for the 2 preceding fiscal years.

(10) Under that act, there is no requirement that the interest earned from funds allocated be expended for those purposes for which the funds were allocated.

The bill would impose such a requirement.

(11) Under that act, a county with a population of under 300,000, or a city therein, may file, until January 1, 1979, a claim for payments to a common carrier of passengers subject to regulation by the Public Utilities Commission that is providing public transportation service under contract with such a county or city. A county which is not located, in whole or in part, within a transit district and which has a population of under 100,000, or a city therein, also may file a claim, until January 1, 1979, for payments to a common carrier of passengers subject to regulation by the Public Utilities Commission, a nonprofit corporation, or an operator, under contract with such a county or city to provide transportation services for the elderly, the handicapped, and any other group, as determined by the transportation planning agency, requiring special transportation assistance.

The bill would delete the above population limitation and the requirement that a county, or a city therein, not be located in a transit district before contracting for above transportation services, which means any county or city eligible to receive funds under that act, and located in an area where such funds may be used for local street and road purposes, would be authorized to contract for the above transportation services. Authorization to contract for such services would be extended from January 1, 1979, to July 1, 1980, and contracts for such services would be permitted with a private corporation operating under a franchise or license.

The bill would require a county or city entering into a contract for such transportation service with a private corporation operating under a franchise or license, or a nonprofit corporation, to include specified terms regarding that service if the county or city, as the case may be, is served by an operator.

(12) Under that act, the amount allocated to a county and city for local street and road purposes, for passenger rail service with the National Railroad Passenger Corporation, and for special transportation assistance may not exceed 50% of the amount the county or city proposes to expend for all such purposes.

The bill would limit the amount that could be allocated for each such purpose to 50% of that amount the county or city proposes to expend for that purpose. The bill would not affect the existing exception to the 50% limitation with respect to capital expenditures for facilities not inconsistent with the regional transportation plan.

(13) The bill would require the Auditor General to submit a report, together with his comments and recommendations, to the Legislature, not later than January 31, 1977, on methods to minimize the operational deficits and to evaluate the efficiency of public transportation systems.

(14) The bill would incorporate in a new Section 99233.2 of the Public Utilities Code additional changes proposed by AB 1246 in Section 99233 of that code, to be operative only if this bill and AB 1246 are both chaptered and become effective January 1, 1977, and this bill is chaptered last.

(15) The bill would make other related changes.

Ch. 1349 (SB 1879) Mills. Transportation.

(A) Section 99305 of the Public Utilities Code created a Transportation Planning and Research Account in the State Transportation Fund. The account consists of the increase in the state sales and use tax revenues (hereafter referred to as spillover revenues) with the taxes imposed at 3¼% and on motor vehicle fuel over the revenues with the taxes imposed at 4% but not on motor vehicle fuel. Upon appropriation by the Legislature, up to ½ of the spillover revenues is available for allocation by the Secretary of the Business and Transportation Agency for comprehensive transportation planning by councils of governments. The remaining spillover revenues in the account, upon appropriation, are available for (1) state transportation planning, (2) comprehensive transportation planning by statutorily created regional transportation agencies, (3) public transportation research and demonstration projects, (4) matching federal funds for public transportation purposes, and (5) public transportation training and research by the Institute of Transportation and Traffic Engineering of the University of California.

Section 13995 of the Government Code also created an identically named account that account consists of specified transfers, and scheduled reimbursements, from the Aeronautics Account and the State Highway Account in the State Transportation Fund. The funds in this Transportation Planning and Research Account are available, upon appropriation by the Legislature, for allocation by the State Transportation Board for (1) statewide transportation system planning, (2) matching funds for regional transportation system planning, (3) transportation research projects of statewide interest, (4) matching funds for regional transportation research projects, and (5) matching funds to obtain funds for any of the prior specified purposes.

This bill would continue in existence the Transportation Planning and Research Account created by Section 99305 of the Public Utilities Code, and transfer to this account all funds from the identically named account created by Section 13995 of the Government Code, which account the bill would abolish.

The funds in the account would be available, upon appropriation by the Legislature, as follows:

(a) Funds transferred or scheduled as reimbursements from the Aeronautics Account and the State Highway Account to be allocated by the secretary for:

(1) State transportation planning.
 (2) Regional transportation planning by designated transportation planning agencies.
 (b) Excluding the amount made available for the demonstration projects specified in (D) below, not more than $\frac{1}{4}$ of the remaining spillover revenues to be allocated by the secretary for:

(1) Above specified transportation planning.
 (2) Research and training by the Institute of Transportation and Traffic Engineering of the University of California in public transportation.

(c) Excluding the amount made available for the demonstration projects specified in (D) below, not less than $\frac{1}{4}$ of the remaining spillover revenues to fund construction of public transportation projects to improve the interface of various transportation modes.

The Department of Transportation would be required to submit annually, not later than January 10th, a report on such proposed, currently funded, and completed interface public transportation projects.

(B) Under existing law, an amount allocated from the Transportation Planning and Research Account to a transportation planning agency for work on the regional transportation plan may be up to 70% of its nonfederally reimbursed costs for regional transportation planning.

The bill would authorize the secretary, after making a specified determination, to increase that percentage for a transportation planning agency in a county with a population of less than 500,000.

(C) Under existing law, the board annually reviews the budget of the Department of Transportation for consistency with the California Transportation Plan and transmits them to the Department of Finance.

The bill would require the board to also transmit its comments to the Department of Finance on public transportation projects to improve the interface of various transportation modes that are included in the budget of the Department of Transportation and funded from the Transportation Planning and Research Account.

The board would be required to approve proposed allocations from the account to the Department of Transportation and transportation planning agencies for transportation planning purposes.

(D) Under existing law, the department is authorized to assist public entities in the planning and construction of exclusive public mass transit guideway systems through contracts with the public entities.

The bill would authorize the department to implement 3-year demonstration projects to encourage ground public transit services along the Sacramento-Stockton-San Francisco and the Los Angeles-San Diego corridors. In implementing the projects, the department would be required to seek the assistance of advisory groups consisting of representatives appointed by the secretary from various specified entities.

The secretary would be required to allocate funds for various bus and rail passenger purposes in the above corridors.

The department would be required to seek federal and local financial assistance in financing the projects, and to submit to the Legislature, for each project, an annual report during the course of the project and a final report.

The department also would be required to consider the feasibility of rail access from the San Francisco Bay area to Sacramento and Stockton, and to explore alternate transportation uses of a specified Southern Pacific Transportation Company rail line from the vicinity of Concord to the vicinity of Dougherty.

The bill would appropriate \$6,200,000 from the Transportation Planning and Research Account to the department and the secretary for expenditure without regard to fiscal years to carry out the demonstration projects and \$989,772 to the board for allocation to metropolitan transportation planning organizations for metropolitan transportation planning.

The bill would require \$1,000,000 to be allocated by the secretary to increase rail and bus passenger services in the Sacramento-Stockton-San Francisco corridor from the \$3,000,000 appropriated to the secretary by Chapter 1130, Statutes of 1975, for allocation to the department to extend intercity passenger rail services provided by the National Rail Passenger Corporation.

The bill would prohibit the ~~awarding of any contract funded from any portion of the \$250,000 for rail~~ [allocation of funds appropriated by this bill for the improvement of

railroad track and] * passenger facilities along the Los Angeles-San Diego corridor until the Director of Transportation determines that an average of 4 or more passenger trains per day are operating over the facilities to be improved.

(E) Under existing law the Department of Transportation is required to acquire specified abandoned railway lines.

This bill would delete that portion of the Winters Branch between Vaca Valley and Esparto in the County of Solano and the County of Yolo abandoned by the Southern Pacific Transportation Company and add a portion of the Sacramento Northern Railroad property within the City of Fairfield and a portion of Southern Pacific Transportation Company property within the City of Riverside to the property to be so acquired.

(F) The bill would also make other related changes.

Ch. 1350 (AB 1810) McCarthy. Senior center programs.

Under existing law day care centers are authorized to provide nonmedical care to persons in need of personal services, supervision or assistance essential for sustaining activities of daily living or for the protection of the individual.

This bill requires the Health and Welfare Agency to administer and formulate criteria by which multipurpose senior centers for older persons are to be approved. The bill establishes minimum components for such centers, including medical and nonmedical services and other activities. The bill authorizes funds appropriated for such purpose to be used upon certification that "in-kind" contributions of a private, state or local governmental agency are not sufficient to secure adequate federal funds. The bill would establish a separate licensure category for such centers under the California Community Care Facilities Act.

Under the current Waxman-Duffy Prepaid Health Plan Act the Director of Health is authorized to conduct certain pilot projects under certain conditions.

This bill would in addition to such projects authorize the director to conduct by contract experimental programs to provide adult day care services under specified federal laws for persons eligible for Medicare and Medi-Cal and to establish a special licensure classification under the Health Facilities Act for such service centers

Ch 1351 (AB 2578) Duffy. Medi-Cal.

Under current law the Director of Health is authorized to conduct prepaid health plan pilot projects under the Waxman-Duffy Prepaid Health Plan Act.

The bill would delete the above provisions of law. It would instead require the director to contract with institutional providers, counties, or other organizations to establish pilot programs which demonstrate the value, or lack thereof, of such a program in delivery or financing health care services in such a manner

The bill would require the director to conduct at least two pilot prepaid publicly operated health plan programs directly or through contract with other public entities. The bill would require the director to pursue the feasibility of establishing four specific pilot programs, and to consider the establishment of other types of programs.

The bill would also require the director to call a public hearing prior to entering into or renewing pilot programs and to submit to the Legislature written reports as provided

The bill would in addition exempt such pilot programs, except for conditions, from the Knox-Keene Health Care Service Plan Act of 1975.

Under current law the Health Care Deposit Fund is appropriated for the purpose of the Medi-Cal Act.

This bill would also appropriate such fund for the purposes of the Waxman-Duffy Prepaid Health Plan Act

This bill would become effective immediately as an urgency statute.

Ch. 1352 (AB 3325) McAlister. Licensing massage establishments.

Existing law provides that a city or county may require a business to obtain a license for revenue or regulatory purposes

This bill would provide that a city or county may condition the issuance of a license to operate a massage establishment on several specified factors, would provide that such license may be denied upon a showing by the licensing authority that the massage personnel, owners, or operators have been convicted of certain specified offenses, would contain a legislative declaration that such provisions shall not be construed as a limitation

on the existing power of a city or county to license for revenue or regulatory purposes, and would specify that such provisions do not authorize a city or county to prohibit a person of one sex from massaging a person of the opposite sex.

The bill would also specify that its provisions are not applicable to cosmetologists, barbers, or certain persons while engaging in the practice of certain healing arts.

Ch. 1353 (AB 4071) Miller Superior courts: executive officers.

Under existing law, an executive officer may be appointed in superior courts having 7 or more judges.

This bill would permit an executive officer to be appointed in superior courts having 3 or more judges.

The bill would also provide that an executive or administrative officer has the authority of a clerk of the superior court, and that the superior court may, by local rule, impose upon such officer the performance of specified duties presently performed by the county clerk.

Ch. 1354 (AB 4429) Fazio. State highways and reports.

(1) Under existing law, the Department of Transportation is required to publish, for the use of the Legislature, 500 copies of its annual budget report with respect to revenues in the State Highway Account in the State Transportation Fund that is submitted to the Governor.

This bill would require the department to publish a sufficient number of, rather than 500, copies of its annual budget report for the use of the Legislature.

(2) Under existing law, expenditures from the State Highway Account in the State Transportation Fund for the administration and maintenance of state highways for the 1975-76 fiscal year may not exceed the net revenues derived from 1½ cents per gallon of the motor vehicle fuel tax and the use fuel tax and, on and after July 1, 1976, may not exceed the net revenue derived from 1½ cents per gallon of such taxes.

The bill would retain, for the 1976-77 fiscal year, the 1½ cents limitation for the administration and maintenance of state highways, thereby delaying the decrease in limitation to 1½ cents until July 1, 1977.

(3) Under Section 256 of the Streets and Highways Code, the department was required to submit to the Legislature in 1975, and each 4 years thereafter, a report on the progress made in the development of the California freeway and expressway system and the state highway system. Resolution Chapter 124 of the Statutes of 1974 requested the department to also include, in the Section 256 report to be submitted in 1975, technical changes that are necessary for the proper administration of those systems.

The bill would make changes in the descriptions of various state highways (Routes 11, 12, 21, 33, 60, 74, 75, 78, 79, 81, 84, 88, 91, 117, 122, 140, 141, 160, 206, 259, 263, 282, and 680) pursuant to the 1975 Section 256 report.

(4) The bill would make other related changes and corrections

Ch. 1355 (SB 1848) Song. Justice court judges: compensation.

(1) Existing law specifies the method for determining additional compensation for a justice court judge assigned to a justice court in another county.

This bill would revise such provision to provide that if a justice court judge is assigned to another justice court, except for exchange assignments as defined by rules adopted by the Judicial Council, he shall be paid an amount equivalent to the salary paid to a circuit justice court judge certified pursuant to specified provisions of law.

(2) The existing law provides that when a justice court judge is assigned to sit as a justice court judge in another county, the county shall reimburse the county in which the judge was selected in an amount equal to any amount by which the sum of such judge's regular compensation as a justice court judge and the compensation of the judge of the justice court to which the assignment is made exceeds the regular salary of a municipal court judge for a comparable period.

This bill would change the basis for determining the amount of such reimbursement.

(3) The bill would also appropriate \$27,500 to the State Controller for allocation and disbursement to local agencies or school districts for costs incurred by them pursuant to this act.

In addition, this bill would appropriate \$82,500 to the Judicial Council for specified purposes.

Ch 1356 (AB 3627) Chel. Conciliation court.

Existing law authorizes the superior court of a county to establish a conciliation court for domestic relations cases.

This bill would authorize such a superior court, upon action by the board of supervisors to provide matching funds, to increase specified marriage license fees, marriage certificate fees, and domestic relations filing fees by specified amounts and would require use of such funds exclusively for maintaining the conciliation court

Ch. 1357 (AB 1417) Lanterman. Civil law.

Existing law specifies detailed procedures for creation of the relationship of guardian and ward and the establishment of conservatorships in instances where an adult person by reason of advanced age, illness, injury, mental weakness, intemperance, addiction to drugs or other disability, or other cause is unable properly to care for himself or his property, or is likely to be deceived or imposed upon by artful or designing persons.

This bill would substantially revise such procedures including revision of terminology and definitions with regard to persons eligible for guardianship or conservatorship, requiring the appointment of counsel to represent the interests of a proposed ward or conservatee under designated circumstances, provision for jury trial on the issue of whether a wardship or conservatorship should be established, and providing for the utilization of investigators in such proceedings.

It would provide that there are no state-mandated costs imposed on local governmental entities in 1977-78.

This bill would incorporate additional changes in Section 1510 of the Probate Code, proposed by Senate Bill No 1789 to be operative only if Senate Bill No. 1789 and this bill are both chaptered and become effective January 1, 1977, and this bill is chaptered last.

The bill would become operative on July 1, 1977.

Ch. 1358 (AB 1882) Arnett. San Mateo County Transit District existing system

Under the San Mateo County Transit District Act, the San Mateo County Transit District may not establish any transit service that, at any time, competes with an "existing system" (which is defined as any transit service or system which was operating on January 1, 1974, entirely within San Mateo County or which operated at least 75% of its revenue vehicle miles for 1973 within the county), unless the district purchases the existing system. "Existing system" does not include a charter-party carrier, the charter service of a passenger stage corporation, any taxi service, or other common carrier

This bill would require the district to purchase the existing system if the proposed transit service significantly competes with the existing system

The bill would change the carriers excluded from the definition of "existing system" to exclude only charter-party carriers and the charter services of passenger stage corporations.

The bill would prohibit the district from establishing any demand-activated service which could, at any time, divert, lessen, or compete for the patronage or revenues of any existing taxi service, as defined, unless a written notice with specified information is given to the existing taxi service.

The district would be required to purchase an existing taxi service if the continued operation of the district's demand-activated service caused a loss of 10% or more in the patronage or revenue in the affected service area of the existing taxi service.

The bill would make other related changes.

Ch. 1359 (AB 2676) Hayden Regulation of skateboards.

Existing provisions of law do not provide specifically for the regulation of persons riding skateboards

This bill would authorize any municipality or county having authority to adopt local police regulations to prohibit or restrict persons from riding or propelling skateboards in roadways.

Ch 1360 (AB 3658) Wilson. Public utilities fuel

Existing law requires the Public Utilities Commission to fix the rules, practices, equipment, appliances, facilities, service, or methods to be observed or employed by any

public utility.

This bill would require the commission to credit with interest against the expense claimed by an electric or gas corporation the difference between purchase and sale price of fuel oil which is, or is reasonably expected to be, useful in performing its public utility function.

Ch. 1361 (AB 3678) Berman. Credit reporting agencies.

Existing law requires a credit reporting agency to identify separately within its records of the reports it delivers, the credit histories of the person applying for credit, and his or her joint accounts, if applicable, to the extent such information is on file with the credit reporting agency.

This bill would delete the above provision and instead require credit reporting agencies, where information of joint credit accounts is received after January 1, 1977, on accounts existing prior thereto, or where the account is established after January 1, 1977, to file such information under the name of each such joint account holder or in another manner which would enable either joint account holder to gain access to the credit history without having in any way to list or refer to the name of the other joint account holder, and to provide access to all information about the account in the name of each person or spouse.

For accounts established prior to January 1, 1977, the bill would require a credit reporting agency, upon request, to verify the joint nature of the account and, if applicable, file information separately under the names of the responsible persons in a manner which enables such persons to gain access, as specified.

Ch. 1362 (AB 3706) Knox. District securities.

Existing law generally requires approval by the State Treasurer of bonds of a district when the district or subdistrict is composed of less than 500 registered voters, the indebtedness would exceed 200% of the district's or subdistrict's assessed valuation and there is less than 1 registered voter for each 2 acres within the district or subdistrict.

This bill would, in addition, prohibit any district or subdistrict whose voters are required to be property owners from issuing bonds, including revenue bonds but excluding bonds issued pursuant to the Improvement Act of 1911 or the Improvement Bond Act of 1915, unless the bonds have been investigated, reported and approved, and certified by the State Treasurer. It would also prohibit the district or subdistrict from incurring specified indebtedness with any public agency, private corporation, or person without approval of the State Treasurer.

The bill would also permit the board of supervisors, upon petition of a holder of specified outstanding bonds or other instrument of indebtedness, to replace the governing board of any district where the district is in default on the payment of principal or interest on any outstanding bonds for a period of 90 days, except with regard to contracts which are the subject of litigation between the district and the holder of such instrument to determine the rights of the parties thereunder. Such replacement of the governing board would also be permitted where the district files a petition for reorganization or bankruptcy. In the event the board of supervisors fails to so act, it would permit the State Treasurer to take such action. It would specify the qualifications and terms for such appointive members of the district's governing board.

The bill would take effect immediately as an urgency statute.

Ch. 1363 (AB 3762) McVittie. Meetings: local agency.

Existing law contained in the Ralph M. Brown Act allows the legislative body of a local governmental agency to meet in executive session under specified circumstances.

This bill would authorize the legislative body of a local agency to designate a clerk or other officer or employee of the local agency to keep minutes of such executive sessions and the topics discussed and decisions made therein. This bill would provide that the minute book made pursuant to such provisions is not a public record and shall be confidential, available only to members of the legislative body of the local agency or if a violation of the act is alleged to have occurred at an executive session, to a court of general jurisdiction wherein the local agency lies. The bill would permit such minute book to consist of a recording of the executive session.

Ch. 1364 (AB 3800) Lanterman. Developmental disabilities: general.

(1) Existing law does not provide persons with developmental disabilities with a statutory right to treatment and habilitation services and with enumerated personal rights with respect to evaluation or treatment as a patient in a state hospital, private institution, or county hospital.

This bill would express the intent of the Legislature to give developmentally disabled persons the right to treatment and habilitation services. The bill would provide each developmentally disabled person who is a patient in a state hospital, community care facility, or health facility enumerated personal rights with respect to treatment, including the right to refuse electroconvulsive therapy and psychosurgery.

(2) Existing law does not prescribe staffing standards for state hospitals serving developmentally disabled persons.

This bill would express the intent of the Legislature that the State Department of Health adopt staffing standards for state hospitals serving developmentally disabled persons which will assure maximum personal growth and development of those served and would express the intent of the Legislature that such standards be fully implemented by June 30, 1980.

(3) Existing law does not require the Director of Health to compile a roster of all persons who are in the custody of, or on leave from, a state hospital.

This bill would require the director to compile such a roster and to give a copy to the appropriate regional center which would be required to investigate the need of further commitment of such persons. For those persons found to no longer require state hospital care, the regional center would be required to prepare an individual program plan for the provision of appropriate alternative services outside the state hospital.

(4) The bill would also provide that it shall become operative only if, and at the same time as, AB 3801 to AB 3807, inclusive, and AB 3809 become effective.

Ch 1365 (AB 3801) Egeland Developmental disabilities: state council.

Existing provisions of the Lanterman Developmental Disabilities Services Act establish the State Developmental Disabilities Planning and Advisory Council, with 15 voting members, in the Health and Welfare Agency to advise the Advisory Health Council, the Secretary of the Health and Welfare Agency, the Governor, and the Legislature re initiation, coordination, and implementation of programs and projects for the developmentally disabled.

This bill would repeal such existing law. The bill would create a State Council on Developmental Disabilities, with 9 voting members, appointed by the Governor as specified, and 7 ex officio nonvoting members. The state council would be placed in the State Department of Health for administrative purposes.

The bill would designate the state council as responsible for developing, evaluating, advising, and reviewing developmental disabilities plans and programs. The state council would be the official designated agency for purposes of receiving federal funds allocated to the state under Public Law 94-103, but could not use more than 25% of such federal funds for state council operating costs.

The bill would also provide that it shall become operative only if, and at the same time as, AB 3800 and AB 3802 to 3807, inclusive, and AB 3809 become effective.

Ch 1366 (AB 3802) Rosenthal. Developmental disabilities: state plan

Under existing law, there is no state plan for programs providing services to persons with developmental disabilities. Each area board is required to adopt an areawide developmental disabilities plan to provide for the orderly and economic development of developmental disabilities services in the area.

This bill would require the State Developmental Disabilities Planning and Advisory Council to prepare a California Developmental Disabilities State Plan every year which complies with Public Law 94-103 and integrates state planning and budgeting with respect to programs providing services to persons with developmental disabilities.

The bill would also provide that it shall become operative only if, and at the same time as, AB 3800, AB 3801, and AB 3803 to AB 3807, inclusive, and AB 3809 become effective.

Ch. 1367 (AB 3803) Hart. Developmentally disabled: area boards.

Under the Lanterman Developmental Disabilities Services Act, the state is divided into areas for purposes of planning and coordinating services for the developmentally disabled. An areawide developmental disabilities program board is established in each area, with prescribed membership and duties.

This bill would repeal those provisions and enact provisions which would revise the membership, appointment procedure, and duties of the area boards to expand the membership on the board of the public and persons related to the developmentally disabled and eliminate the membership of professional disciplines serving the developmentally disabled. This bill would also expand the duties of the area boards to include the enforcement of compliance with local, state, and federal statutes by publicly funded agencies serving the developmentally disabled and provide a procedure for such enforcement. The duties would also be expanded to include protecting and advocating the rights of all persons within the area with developmental disabilities and encouraging and assisting the establishment of independent citizen advocacy organizations for the purpose of recruiting, training, and assigning volunteers to work with the developmentally disabled to assist them in using community services and participating in community activities.

The bill also makes related technical changes

This bill would also provide that it shall become operative only if, and at the same time as, AB 3800 to AB 3802, inclusive, and AB 3804 to AB 3807, inclusive, and AB 3809 become effective.

Ch. 1368 (AB 3804) Lanterman. Developmental disabilities: regional centers.

Existing provisions of the Lanterman Developmental Disabilities Services Act require the State Department of Health to contract with public or private corporations to provide regional diagnostic, counseling, and service centers for care of developmentally disabled persons throughout the state.

This bill would require that the governing board or the program policy committee of any agency contracting to provide regional center services to meet specific membership criteria. The bill would provide procedures for the negotiation and termination of contracts between the department and the regional center. The bill would require that an individual program plan be developed and implemented by the regional center for any person receiving developmental disabilities services.

The bill would require regional centers to cooperate with area boards with respect to services available to developmentally disabled persons.

The bill would require the department or regional center to give the other 30 days notice of intent to change policy and to amend the contract if either party intends to adopt any material change in policy which will have a direct effect upon the contract between the state and the regional center. The bill would make additional related changes with respect to regional centers.

This bill would also provide that it shall become operative only if, and at the same time as, AB 3800 to AB 3803, inclusive, and AB 3805 to AB 3807, inclusive, and AB 3809 become effective.

Ch. 1369 (AB 3805) Lanterman. Developmentally disabled: programs: rates

Under the Lanterman Developmental Disabilities Services Act, there is authority for establishing rates by the Director of Health for services to the developmentally disabled.

This bill would retain that authority and provide detailed legislative guidelines for the rates so established.

Under existing law there is no special fund through which developmentally disabled funds are channeled. This bill would create the ~~Developmentally~~ [Developmental] * Disabilities Program Development Fund, consisting of parental fees, General Fund appropriations, and federal funds, and would appropriate such fund for expenditure for a three-year period.

The bill would require the Legislative Analyst to review and comment on the utilization and effectiveness of the Program Development Fund in connection with the annual budget hearing.

The bill would appropriate \$165,000 to the State Department of Health for expenditure for purchasing workshop services for current and potential recipients of aid

to the needy disabled.

This bill would also provide that it shall become operative only if, and at the same time as, AB 3800 to AB 3804, inclusive, and AB 3806, AB 3807, and AB 3809 become operative.

Ch. 1370 (AB 3806) Egeland. Developmentally disabled: fair hearing.

Under the Lanterman Developmental Disabilities Services Act, there is no specific provision requiring a fair hearing procedure for resolving complaints between an agency receiving state funds to provide services for persons with developmental disabilities and consumers or potential consumers of service.

This bill would require, on and after July 1, 1977, each public or private agency that receives state funds to provide services for persons with developmental disabilities to have a fair hearing procedure, as a condition of receiving state funds. The bill would prescribe minimum requirements and procedures for an acceptable fair hearing procedure and would provide for an appeal procedure to an appeals board created for each fair hearing, to the areawide developmental disabilities program board in some instances, and to the state agency primarily responsible for operating, funding, or monitoring the program subject to appeal.

The bill would also provide that it shall become operative only if, and at the same time as, AB 3800 to AB 3805, inclusive, AB 3807 and AB 3809 become effective.

Ch. 1371 (AB 3807) Keene. Developmentally disabled programs: evaluation.

Under the Lanterman Developmental Disabilities Services Act, there is a limited requirement for the Director of Health to provide for an evaluation of the developmentally disabled program.

This bill would repeal and reenact such requirement and would expand and revise the evaluation program to require the department to provide methods for evaluation of the program and report such methods to the Legislature and then apply those methods to determine statewide program effectiveness.

The bill would also provide that it shall become operative only if, and at the same time as, AB 3800 to AB 3806, inclusive, and AB 3809, become effective.

Ch. 1372 (AB 3808) MacDonald. Developmentally disabled: fiscal provisions.

Under the Lanterman Developmental Disabilities Services Act, there are provisions: (1) financing the regional diagnostic, counseling, and service centers for developmentally disabled persons and their families through the Department of Benefit Payments, (2) prescribing the powers of the Department of Benefit Payments and State Department of Health with respect to services and programs for developmentally disabled persons, (3) establishing parental fees, and (4) prescribing miscellaneous related requirements.

This bill would repeal and reenact the substance of these provisions and would, in addition, require funds appropriated for developmental disabilities programs to be allocated to the extent feasible to such programs by August 1 of each year, require a report to the Legislature on funds not so allocated, and provide for a study of parental fees.

The bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section, nor shall there be any appropriation made by this bill, for a specified reason.

The bill would also provide that it shall become operative only if, and at the same time as, AB 3800 to AB 3807, inclusive, and AB 3809, become effective.

Ch. 1373 (AB 3809) Tucker. Developmental disabilities: judicial review: guardianship and conservatorship.

Existing provisions of the Lanterman Developmental Disabilities Services Act give developmentally disabled patients admitted or committed to a state hospital, community care facility, or health facility rights of judicial review and provide for guardianship and conservatorship rights.

This bill would amend and renumber such provisions of existing law but would make no substantive change in such law.

This bill would also provide that it shall become operative only if, and at the same time as, AB 3800 to AB 3808, inclusive, become effective.

Ch 1374 (AB 3973) Keene Medi-Cal.

Existing law provides for termination of the enrollment of a Medi-Cal beneficiary in the prepaid health plan upon loss of eligibility.

This bill would provide for continued enrollment in the prepaid health plan in cases where eligibility is extended for specified reasons, and declare the intent of the Legislature in this regard.

This bill would take effect immediately as an urgency statute.

Ch 1375 (AB 4195) Warren Energy: electrical load management.

(1) Existing law does not specifically require the State Energy Resources Conservation and Development Commission to adopt standards for a program of electrical load management for each utility service area.

This bill would require the commission to adopt such standards by July 1, 1978. In adopting such standards the commission would be required to consider specified load management techniques. Such standards would be required to be cost effective. Expenses and investments of a utility required by the standards would be included in the utility rate base as an allowable expense or an allowable item. Provision would be made for delaying adoption of the standards and for granting a utility an exemption therefrom. The bill would prohibit certification of a site or facility unless the applicant certifies, to the commission's satisfaction, that load management standards have been complied with or that, with respect to a publicly owned utility, its governing body has found the standards unsuitable and has reported such finding to the Legislature. Such provisions would not apply to proposed sites and related facilities for which an application requesting certification has been filed with the commission prior to the effective date of the standards.

(2) Existing law requires the Public Utilities Commission to designate a lifeline volume of gas and quantity of electricity [for certain residential uses] * and to regulate rates therefor.

This bill would provide that such law shall not be construed to prohibit experimentation with alternative electrical rate schedules for achieving energy conservation. [This bill also would delete provisions of such law that require that the lifeline volume of gas and quantity of electricity be apportioned for each residential unit where there is a master meter and the end use is residential.] *

Ch. 1376 (AB 4354) Sieroty Termination of parental custody and control.

Existing law provides for the service of a citation to notify the father or mother, or other specified persons of proceedings to declare a person under the age of 18 free from the custody and control of either or both of his parents.

This bill would require that the citation also advise the recipients of the right of the minor and the parents to be represented by counsel and to have the judge explain the nature of the proceeding, its procedures and possible consequences.

Existing law provides for the bringing of state prisoners to court in any action brought to terminate the parental rights of such a person upon the receipt by the superior court, or a judge thereof, of an affidavit of the prisoner or his attorney indicating the prisoner's desire to be present.

This bill would require the court, or a judge thereof, in any court proceeding regarding an action to terminate parental rights of, or to adjudicate as a dependent child of the court the child of, any individual who is in custody in a state prison, in the California Rehabilitation Center, or a county jail, or who is a ward of the California Youth Authority, to transmit notice of such proceeding to the person. The bill would also provide that no proceeding to terminate parental rights or adjudge a child a dependent child may be held without the physical presence of the prisoner or the prisoner's attorney unless a waiver or the specified statement is before the court.

Ch. 1377 (AB 4462) Sieroty. Transportation companies.

Existing law does not prohibit transit districts, common carriers, or publicly owned transit systems from requiring persons to waive, limit, or qualify any right to recover damages for injury in exchange for a reduction in price or fare for transportation services

This bill would prohibit such practice except with respect to employees of the transit

district, common carrier, or publicly owned transit system who consent to such practices.

The bill would take effect immediately as an urgency statute.

Ch 1378 (SB 1115) Holmdahl. Dogs: seizure and impoundment.

The existing law does not expressly prohibit employees of animal control agencies from entering upon the property of a dog owner to enforce local dog leash ordinances.

This bill would prohibit an officer or employee of any animal control agency from seizing and impounding a dog or issuing a citation for violation of a local dog leash law when such dog has not strayed from and is upon private property owned by the dog owner or the person who has a right to control the dog, or upon private property to which the dog owner or person who has a right to control the dog has a right of possession. The bill would require that a dog that has strayed from but then returned to the private property of his owner or the person who has a right to control the dog not be seized or impounded, but in such a case a citation could be issued, except that if the owner or the person who has a right to control the dog is not home, the dog could be impounded, provided that a specified notice is posted on the front door of the living unit of the owner or person who has a right to control the dog.

This bill would provide that its provisions do not otherwise affect existing authority to seize or impound a dog or issue citations, as a result of a dog's being on property other than that owned by its owner or a person who has a right to control the dog.

This bill would expressly provide that its provisions shall not be interpreted as prohibiting a person from killing a dog when the dog is found in the act of, or the person has conclusive proof that the dog has engaged in, killing, wounding, or worrying livestock or poultry on land or premises not owned or possessed by the dog's owner pursuant to specified provisions of law.

Ch. 1379 (SB 1617) Collier. Parks and recreation.

(1) Existing law permits the classification of units of the state park system as state vehicular recreation areas to be administered to provide recreational vehicle opportunities in accordance with specified requirements

This bill would authorize the Department of Parks and Recreation to enter into agreements with the Department of Water Resources and the Department of Fish and Game to plan, develop, and administer property in the vicinity of Oroville as a state vehicular recreation area and to carry out a program in such unit of development, maintenance, administration, and conservation of trails and areas for the recreational use of off-highway vehicles. The bill would require any fees, rentals, or other returns collected by the department in its administration of such unit to be paid into the State Treasury to the credit of the Off-Highway Vehicle Fund.

The bill would appropriate \$150,000 from the Off-Highway Vehicle Fund, as specified, to the Department of Parks and Recreation for the purposes of the act for development, planning, and administrative costs.

(2) The Budget Act of 1976 appropriates \$2,250,000, for the 1976-77, 1977-78, and 1978-79 fiscal years, from the Collier Park Preservation Fund to the Department of Parks and Recreation for land acquisition at China Camp, County of Marin, for the state park system. Such acquisition is subject to the requirement, among others, that the county agree to develop, care, maintain, and operate such land at no cost to the state.

This bill would appropriate \$250,000 from such fund in augmentation of such appropriation in the Budget Act for China Camp. Also, the requirement relating to the county operating agreement would be deleted, thus permitting the expenditure of the appropriation in the Budget Act and this bill without such an agreement

(3) The Budget Act of 1965 appropriated funds from the State Beach, Park, Recreational, and Historical Facilities Fund of 1964 for various capital outlay projects for the state park system, including land acquisition at Delta Meadows. Subsequent Budget Acts contained reappropriations for Delta Meadows, but funds that were available under the last such reappropriation reverted to the fund on June 30, 1976.

This bill would amend and supplement the Budget Act of 1976 by adding a section thereto to appropriate \$970,000 to the department, payable from such fund, for land acquisition at Delta Meadows for the state park system

(4) Past Budget Acts have contained appropriations from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 for local assistance for parks. The Budget Act of 1976 also makes such appropriations.

This bill would amend and supplement the Budget Act of 1976 by adding a section thereto to appropriate \$184,526 to the Department of Parks and Recreation, payable from such fund, for grants for the acquisition, development, or both, of the following projects: County of Colusa, Princeton Park (\$2,000) and Grimes Grammar School tennis courts (\$7,600); County of Lake, Middletown Park (\$2,200) and Lower Lake Park (\$1,000); Bel Marin Keys Community Services District (Marin County), Bel Marin Mini Parks (\$3,908); Anderson Valley Community Services District (Mendocino County), community park and playground (\$12,000); City of San Jacinto (Riverside County), Mistletoe Park (\$9,694); and County of Sacramento, Natomas East Main Drain Trail (\$146,124). None of the funds thus appropriated would be available for expenditure unless and until such projects have been submitted to, and reviewed and approved by, the Secretary of the Resources Agency.

(5) The Budget Act of 1974, as amended, appropriates \$12,000 to the department, payable from such fund, for a grant to the Anderson Valley Community Services District (Mendocino County) for a swimming pool.

This bill would provide that the unencumbered balance of such appropriation shall revert to the unappropriated balance of the fund.

(6) The Budget Act of 1975 appropriates the following amounts to the department, payable from such fund, for grants for County of Lake, Redbud Park (\$33,000) and for the following projects in Colusa County: Princeton High School tennis courts (\$2,000) and Grand Island Log Cabin (\$7,600).

This bill would provide that \$3,200 of the appropriation for Redbud Park and the unencumbered balances of the appropriations for projects in Colusa County shall revert to the unappropriated balance of the fund.

(7) The Budget Act of 1976 appropriates \$3,908 to the department, payable from such fund, for a grant to the Bel Marin Keys Community Services District (Marin County) for Montego Park.

This bill would provide that the unencumbered balance of such appropriation shall revert to the unappropriated balance of the fund.

(8) Under existing law funds in the Bagley Conservation Fund are available for beach, park, and land acquisition programs, including wildlife areas.

Notwithstanding such limitation, this bill would appropriate \$600,000 from such fund to the department for the construction of slots at Benbow Dam. Further, the bill would appropriate \$800,000 from the Collier Park Preservation Fund (which is available only for the acquisition, planning, and development of projects for the state park system) for that purpose.

(9) Existing law appropriated \$150,000 from the Bagley Conservation Fund for the development of Benbow Dam.

This bill would provide that such appropriation shall not be available for that purpose and shall revert to the fund.

(10) Existing provisions of law authorize the department to exchange certain lands purchased with funds derived from a 1973 appropriation of \$750,000 for lands located in the County of Mendocino adjacent to Ten Mile Beach and lying westerly of Route 1 between Ten Mile River and MacKerricher State Park, for the state park system.

This bill would reappropriate, † without regard to fiscal years, to the department the unencumbered balance of the 1973 appropriation, or so much as may be necessary, for the purchase of lands situated in the County of Mendocino adjacent to, and within the area commonly referred to as, Ten Mile Beach and lying westerly of Route 1 between Ten Mile River and MacKerricher State Park for the state park system. The bill would also permit the department, through the Department of General Services, to sell or exchange described timberlands previously acquired with funds derived from such 1973 appropriation and would appropriate † to the department the proceeds of any such sale for the acquisition of Ten Mile Beach.

(11) Item 350(aa) of the Budget Act of 1973 and Chapter 983 of the Statutes of 1973 make appropriations, which are available for expenditure until June 30, 1977, for land acquisitions for Sonoma Coast State Beach.

This bill would reappropriate to the department \$1,258,000 † of the unencumbered balances of such appropriations, and if such balances are not sufficient, appropriate from the Collier Park Preservation Fund an additional sum necessary to provide such amount, for the acquisition for the state park system of approximately 1250 acres of the property

† Appropriation deleted by action of the Governor.

known as Willow Creek Ranch. The bill would provide that projects already approved in the two items from which these reappropriations are made shall have priority over the Willow Creek Ranch project.

(12) Under existing law, the Director of General Services is authorized to lease or sell any portion of designated parts of the exposition site of the California Exposition and State Fair for commercial or industrial development under such considerations and conditions as the director deems will best serve the interests of the state.

This bill would authorize the Director of Parks and Recreation, with the approval of the Director of General Services, the Director of Finance, and the State Public Works Board, to lease to a local public agency a part of such exposition and fair for the construction, maintenance, and operation of a multiuse sports and entertainment facility.

(13) The Budget Act of 1974, as subsequently amended and supplemented, appropriated \$2,500,000 from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 to the department for expenditure during the 1974-75, 1975-76, and 1976-77 fiscal years for land acquisition at El Capitan State Beach.

This bill would appropriate \$2,500,000 † from the Collier Park Preservation Fund to the department for the acquisition and development of additional lands and improvements thereon, as additions to El Capitan State Beach, subject, however, to the requirement that the State Public Works Board determines that sufficient water supply is guaranteed the state and included in such acquisition.

(14) The bill would prohibit the expenditure of any funds appropriated or reappropriated by the bill for the state park system until the State Public Works Board has made specified determinations regarding implied dedication of, or public prescriptive rights or claims in, such lands to be purchased; and would make such acquisitions subject to the Property Acquisition Law.

(15) The bill would take effect immediately as an urgency statute.

Ch. 1380 (SB 2038) Robbins. Genetic defects and diseases.

Under existing law, applicants for marriage licenses are required to file a premarital health examination certificate which states that certain tests have been performed. The certificate is required to contain a statement that blood tests may identify carriers of genetic diseases and that such tests may be performed at the same time as the other required tests.

This bill would require the State Department of Health to prepare and publish a brochure regarding genetic defects and diseases. The department would be required by the bill to make the brochure available to county clerks who would be required to distribute a copy of it to all applicants for a marriage license.

The bill would require the department, to the extent possible, to combine in a single brochure all statutorily required information for marriage license applicants.

This bill would not provide for reimbursement of local agencies for costs incurred by them pursuant to the act for specified reasons.

Ch. 1381 (SB 2105) Dills. California Pollution Control Financing Authority: project financing

Existing law authorizes the California Pollution Control Financing Authority to issue revenue bonds to finance pollution control facilities for sale or lease to persons and entities owning or operating facilities that are required by federal, state, or local law to be equipped with pollution control. Existing law includes within such authority the financing of solid waste disposal projects, with first priority given to such projects utilizing recognized resources recovery or energy recovery processes and second priority given to such projects utilizing new technologies or processes for such purposes.

This bill would delete the priority basis, and would permit the inclusion of elements in solid waste disposal projects which provide for new refuse removal vehicles, transfer stations, resource recovery or energy conversion plants, source separation, or any solid waste disposal facilities, as defined, involved in resource recovery systems.

The bill would also make nonsubstantive changes to provisions of the California Pollution Control Financing Act to conform to the recasting of that act by Chapter 957 of the Statutes of 1975

† Appropriation deleted by action of the Governor.

Ch. 1382 (AB 3508) Gualco. Planning and research

Under existing law, the Office of Planning and Research is established in the Governor's office to perform various functions in connection with long-range planning and research regarding such matters as land use goals and environmental quality.

This bill would add an additional function to such office, of developing criteria for describing social and economic characteristics reported on a census tract basis for each county of the state. In preparing such criteria the office would be required to consult with an advisory committee composed of representatives of state agencies delivering social services and representatives of specified organizations to participate in such an advisory committee.

The Office of Planning and Research would be required to prepare the criteria by January 1, 1978.

The bill would also require the Director of the Office of Planning and Research to select, with their concurrence, one urban, one rural, and one suburban county for the purpose of doing a social profile in accordance with subdivision (m) of Section 65040 of the Government Code to demonstrate the feasibility and cost of developing a social profile for the social and economic characteristics of each county in the state.

The Director of the Office of Planning and Research would be required to report the findings by January 1, 1979, at which time the Legislature may determine the feasibility of such a report for each county in the state by January 1, 1983.

The bill would appropriate \$17,500 from the General Fund to the Office of Planning and Research in support of one-half of the cost of funding under subdivision (m) of Section 65040 as amended by this bill, with a pro rata reduction of such appropriation in the amount of any federal funds received for the project. Finally, the bill would express the legislative intent that the other necessary one-half of state funding be provided within the normal budgetary process.

This bill would incorporate the changes in Section 65040 of the Government Code made by SB 1584, to become operative only if this bill and SB 1584 are chaptered, and this bill is chaptered last

Ch. 1383 (SB 1536) Grunsky. Medi-Cal.

Under current law a county may, as an alternative to a monthly aid payment system, assign dates within the month on which aid will be paid. Medi-Cal cards authorize payment for services rendered during and subsequent to the month of application.

This bill would authorize the Director of Health to establish a pilot project in Monterey County under which, to the extent feasible, the term of the Medi-Cal card coincide with the issuance of the aid payment to a recipient under such alternative aid payment system; provided, however, that if in the director's judgment a significant cost would be incurred, the pilot project would not be implemented. In such pilot project county the director would be required to experiment with alternative methods of establishing one proof of eligibility for inpatient hospital services. The pilot project would terminate January 1, 1982.

The bill would also require certain reports to be made to the Legislature.

Ch. 1384 (AB 3750) Knox. Sales and use tax.

Existing law does not specify whether a transfer or lease of tangible personal property constituting a project or pollution control facility between the California Pollution Control Financing Authority and participating parties is a purchase or sale for purposes of sales and use tax.

This bill would provide that such transfers would not be purchases or sales for the purpose of sales and use taxes if they were made pursuant to the California Pollution Control Financing Authority Act.

The bill would further provide that no appropriation or reimbursement of local agencies is made for revenues lost by them pursuant to this bill for a specified reason.

The bill would take effect immediately as an urgency statute.

Ch. 1385 (AB 3831) Kapiloff. Clinics.

Existing law defines clinics and provides for the licensure of defined community clinics, teaching and research clinics, employer's clinics, and employees' clinics by the State Department of Health. Existing law does not provide for establishment of an

advisory committee on clinics.

This bill would revise the definition of "community clinic" and would provide for licensure of "surgical clinics," "chronic dialysis clinics," and "free clinics."

This bill would require the Director of Health to appoint an Advisory Committee on Community Clinics and Free Clinics consisting of 12 members to advise him on regulations, policy, administrative practices, and delivery of care and services through such clinics. The bill would require the department to seek recommendations, reports, and opinions of the advisory committee when making, amending, or rescinding rules relating to such clinics.

This bill would take effect immediately as an urgency statute.

Ch. 1386 (SB 1584) Smith. Land use planning: state.

Present law provides that the Office of Planning and Research shall have primary responsibility for assuring orderly operation of the process of environmental development and implementation within state government. Under existing law, the Legislature makes various findings and declarations regarding statewide land use and planning.

This bill would revise the existing findings and declarations in this regard, to, among other things, include public hearings in the process, and such additional matters as air and water quality, and development, should be considered.

Under existing law, the Local Government Advisory Council is created within the Office of Planning and Research, with specified membership to assist the office in its land use planning.

This bill would rename the Local Government Advisory Council as the Planning Advisory and Assistance Council, and would revise its membership and functions.

Under existing law, the Office of Planning and Research is required to assist in the formulation, evaluation, and updating of distribution, urban expansion, open space, resource preservation, and utilization, and other factors which shape statewide development patterns and significantly influence the quality of the state's environment.

This bill would require that such office be assisted by the Planning Advisory and Assistance Council in performing such function and add development, and air and water quality to such matters.

The Governor is required under existing law to prepare and cause to be maintained, regularly reviewed and revised, a comprehensive State Environmental Goals and Policy Report.

This bill would require such report to include the recommendations of the Planning Advisory and Assistance Council, would eliminate urban expansion as a consideration in such report, and would add development, and air and water quality as matters to be considered.

This bill would incorporate the changes in Section 65040 of the Government Code made by Assembly Bill 3508, to become operative only if this bill and AB 3508 are both chaptered, and this bill is chaptered last.

Ch. 1387 (AB 4492) Vasconcellos. Birthing methods: study.

No current provision of law expressly requires a study of methods of delivering newborn infants.

This bill would require the Director of Health to appoint a prescribed committee to study alternatives in health and health-care methods and procedures relating to birth, alternatives for medical assistance at birth, and methods of informing the public of such alternatives. The bill would require the committee to submit a prescribed report to the Legislature on or before January 1, 1978, and would provide for the dissolution of the committee 6 months after submission of the report.

The bill would appropriate \$50,000 † to the State Department of Health for the purposes of the bill, but would require federal moneys to be used to fund the study required by the bill, if determined to be available by the Director of Finance.

Ch. 1388 (SB 1888) Nejedly. Property taxation: disaster relief.

Under existing law, a city or county may adopt an ordinance granting property tax relief on property which is damaged or destroyed after the immediately preceding lien date. In order to qualify for relief, the property damage must be more than \$1,000.

This bill would permit an ordinance to be applicable to property damaged or de-

† Appropriation deleted by action of the Governor.

stroyed after enactment of the ordinance, rather than restricting applicability only to property damaged or destroyed after the lien date immediately preceding enactment of the ordinance. The bill would also increase the minimum damage of property to \$5,000.

This bill would also permit a county, within 90 days of enactment of this bill, to enact an ordinance granting property tax relief with respect to property damaged or destroyed during the 1974-75 assessment year.

This bill would incorporate additional changes in Section 155.13, Revenue and Taxation Code, proposed by AB 3522, to be effective only if AB 3522 and this bill are both chaptered and this bill is chaptered last.

This act would take effect immediately as an urgency statute.

Ch. 1389 (SB 2004) Deukmejian. General denials: form.

Existing law authorizes defendants in certain civil cases in which the value of property in controversy does not exceed \$750 to file a general written denial verified by his own oath and a brief statement of any new matter.

This bill would delete the requirement of verification and would require that such written denials be on a blank form available at the place of filing and that they be in a form prescribed by the Judicial Council which need not be verified.

Ch. 1390 (SB 2103) Presley. Assault and battery.

Under existing law a battery, when committed on any of specified peace officers and firemen engaged in the performance of his duties and the person committing the offense knows or reasonably should know the victim is a peace officer or fireman engaged in the performance of his duties the offense, shall be punished by imprisonment in the county jail not exceeding 1 year or in the state prison for not less than 1 nor more than 10 years.

This bill would add to the list of such peace officers the Deputy Director, Assistant Directors, chiefs, assistant chiefs, special agents, and narcotic agents of the Department of Justice, and such investigators who are so designated by the Attorney General.

This bill would incorporate additional changes in proposed Section 243.2 of the Penal Code, relating to the punishment for battery upon such officers, to be operative only if Senate Bill No. 42 is chaptered.

Ch. 1391 (SB 1498) Alquist. San Jose State University.

Under existing law, the Trustees of the California State University and Colleges, with the approval of the Director of Finance, may lease any property of a state college for any purpose which they determine is not inconsistent with the functions of the California State University and Colleges.

This bill would authorize the Director of General Services, with the approval of the State Public Works Board and the trustees, to sell designated property originally proposed to be used as the San Jose State University Corporation Yard.

It would provide that proceeds from such sale are to be paid into the Capital Outlay Fund for Public Higher Education for planning and construction of a corporation yard facility.

Ch. 1392 (SB 1645) Dunlap. Corporations: proxies.

Existing law provides that every form of proxy or written consent, which provides an opportunity to specify approval or disapproval with respect to any proposal, shall also contain an appropriate space marked "abstain," whereby a shareholder may indicate a desire to abstain from voting his or her shares on the proposal; that a proxy marked "abstain" by the shareholder with respect to a particular proposal shall not be voted either for or against such proposal; and that in any election of directors, any form of proxy in which the directors to be voted upon are named therein as candidates and which is marked by a shareholder "withhold" or otherwise marked in a manner indicating that the authority to vote for the election of directors is withheld shall not be voted either for or against the election of a director.

Effective January 1, 1977, this provision would not apply to any corporation with an outstanding class of securities registered under Section 12 of the Securities Exchange Act of 1934 or whose securities are exempted from such registration by Section 12(g) (2) of that act.

This bill would revise such exemption.

Effective January 1, 1977, the law will provide that any form of proxy or written consent distributed to 10 or more shareholders of a corporation with outstanding shares held of record by 100 or more persons shall afford an opportunity on the proxy or form of written consent to specify a choice between approval and disapproval of each matter or group of related matters intended to be acted upon at the meeting for which the proxy is solicited or by such written consent, other than elections to office, and shall provide, subject to reasonable specified conditions, that where the person solicited specifies a choice with respect to any such matter the shares will be voted in accordance therewith.

This bill would provide that the above provisions do not apply to the use of general proxies defined as where specific proposals or directors to be voted upon as candidates are not set forth therein.

Ch. 1393 (SB 1745) Dills. Personal property brokers: maximum charges.

Under existing law lenders licensed under the Personal Property Brokers Law are authorized to receive charges at prescribed rates based on the amount of the unpaid principal balance. Such schedule of rates will remain in effect only until January 1, 1977.

This bill would extend the operative date of such schedule of rates until January 1, 1979.

Existing regulations of the Department of Corporations, which enforces the Personal Property Brokers Law, provide for public inspection of annual reports filed with the commissioner by personal property brokers.

This bill would so provide in statute.

Ch. 1394 (AB 2386) Bane. Cosmetology.

Existing law defines cosmetology as, among other things, massaging, cleaning, stimulating or beautifying the face or upper part of the body, and removing superfluous hair from the body by depilatories, waxing or tweezers. Therefore, any person who performs these acts must, under existing law, be licensed as a cosmetologist. Under existing law, any person employed or working in a cosmetological establishment as a cosmetologist must be licensed.

This bill would create a new category of license under the Cosmetology Act and would allow persons who perform these acts to be licensed as cosmeticians, which license would not authorize such persons to perform hairdressing, or manicuring, or electrolysis. This bill would establish the qualifications for a cosmetician's license, and make conforming changes in the Cosmetology Act.

This bill also incorporates additional changes in Section 7442 of the Business and Professions Code proposed by Assembly Bill 3282, to be effective only if both bills are chaptered.

Ch. 1395 (AB 3114) Rosenthal. Motion Picture Development Council.

(1) The existing law contains no express provisions authorizing the Motion Picture Development Council to designate a deputy or employee who shall be exempt from civil service pursuant to specified provisions of the Constitution.

This bill would authorize the Motion Picture Development Council to designate a deputy or employee who shall be exempt from civil service pursuant to specified provisions of the Constitution.

(2) The existing law contains no express provisions authorizing the Motion Picture Development Council to establish fees to be paid for use of state-owned property for the purpose of making motion pictures.

This bill would authorize the Motion Picture Development Council to establish fees to be paid for use of state-owned property for the purpose of making motion pictures

(3) The existing law contains no express provisions requiring the approval of the Director of General Services of applications by the Motion Picture Development Council for the use of state-owned property for the purpose of making motion pictures

This bill would require the approval of the Director of General Services, with the concurrence of the state agency concerned, of applications by the Motion Picture Development Council for the use of state-owned property for the purpose of making motion pictures and would require state agencies having management and control over state

property, the use of which is sought by such application, to permit such property to be used for the purpose of making motion pictures upon approval of the Director of General Services and the payment of the fees established by the Motion Picture Development Council.

In addition, this bill would require the Director of General Services to approve or deny such application within 30 days, or 45 days in certain circumstances, and would expressly provide that such applications shall be deemed approved if the Director of General Services takes no action within the allowable time.

This bill would appropriate \$50,000 † to the Motion Picture Development Council for the purpose of implementing the provisions of the bill.

Ch. 1396 (AB 4104) Keysor. Licensed vocational nurses.

Existing law provides for recognition of completion of specified continuing education courses for licensed vocational nurses; and requires licensed vocational nurses to show proof of completion of specified continuing education courses as a condition for the renewal of such license, and revises such requirements operative July 1, 1978.

This bill would delete such recognition provisions, and delay such revision of continuing education requirements for licensed vocational nurses until July 1, 1980.

Existing law provides for the fees to be paid for licenses issued pursuant to the Vocational Nursing Practice Act.

This bill would increase such fees.

Ch. 1397 (SB 1457) Deukmejian. Contracts: state agencies.

Under existing law, contracts subject to the State Contract Act and the California State University and Colleges Contract Law are required to provide that monetary claims of \$25,000 or less may, at the option of the contractor or the state, be subject to determination of rights by a hearing officer of the Office of Administrative Hearings, according to specified procedure, whose decision shall be final if supported by law and by substantial evidence.

This bill would raise from \$25,000 to \$50,000 the maximum amount of a claim subject to determination by the Office of Administrative Hearings.

This bill would require that all contracts under such acts contain specified provisions which provide that the determination of disputes under the contract shall be decided by the head of the state agency involved or the Office of Administrative Hearings as his representative.

In addition, this bill would, with respect to such determinations, grant a contractor a right of appeal to the Office of Administrative Hearings, according to specified procedure. The decision of the Office of Administrative Hearings would be subject to judicial review.

This bill would also require that all such contracts contain provisions that authorize the hearing officer to apportion costs of the hearing conducted by the Office of Administrative Hearings between the parties in a manner which, in his discretion, is appropriate, and provisions that expressly authorize either party to the contract to seek judicial review, subject to certain conditions, of the decision of the office.

Ch. 1398 (AB 4419) Maddy. Contracts: state: monetary claims.

The existing law requires all contracts under the State Contract Act or the California State University and Colleges Contract Law to provide that monetary claims totaling in the aggregate \$25,000 or less on any contract may be subject to determination of rights by a hearing officer.

This bill would raise this limit to \$50,000 or less.

Ch. 1399 (AB 2549) Antonovich. Minors: custody.

Under present law, in the absence of a judicial order granting custody to one parent, it is not a crime for the other parent to detain or conceal the child.

This bill would provide that a person not having a right to custody who takes, entices away, detains or conceals the child, with the intent to detain or conceal such child from a parent, guardian, or other person having the lawful charge of such child, shall be punished by imprisonment in state prison for a period of not more than 10 years, a fine of not more than \$10,000, or both, or imprisonment in county jail for a period of not more than 1 year, and a fine of not more than \$1,000, or both.

† Appropriation deleted by action of the Governor.

This bill would provide that any person, in violation of a custody decree, who takes or conceals a child from his legal custodian, and every person who has custody of a child pursuant to an order, judgment or decree granting another person custody or visitation rights, and who detains or conceals such child with the intent to deprive the other person of such right shall be punished by county jail imprisonment for not more than 1 year, a fine of not more than \$1,000, or both.

~~It would additionally provide that, in the absence of a court order granting certain custody or visitation rights to another person, every person having a right to custody who detains or conceals such child without good cause and with the intent to deprive the other person of such rights shall be punished by imprisonment in county jail for a period of not more than 1 year, or a fine of not more than \$1,000, or both. *~~

Further, it would authorize a petition for a temporary custody order to be included with the initial filing of an action for declaration of nullity, for dissolution of marriage, and in proceeding by the husband or wife for the exclusive custody of children of a marriage, or to be filed at anytime thereafter. It would also: require the district attorney, in any case where a court has entered a temporary order pending determination of custody or where a petition to determine custody has been filed and the whereabouts of a party possessing the child are unknown or there is reason to believe that such party may not appear, to take all actions necessary to locate such party and the child and procure compliance with the order to appear with the child and, in any case where a custody decree has been entered, to take all actions necessary to locate the person who violated the decree and the child and to assist in enforcement of the custody decree or other court order; specify that the district attorney does not act, in performing such functions, as a representative of any party. It also delineates a procedure with regard thereto.

Additionally, it would also make various changes in the law to conform to the above.

Existing law requires the Attorney General to utilize, to the extent necessary, the parent locator service of the Department of Health, Education, and Welfare and any such assistance and data as is requested and received from state and local agencies as will enable the Department of Justice and local public agencies to locate parents who have abandoned or deserted their children and to enforce their liability for the support of such children and restricts the availability of related records.

This bill would require that the parent locator service and the assistance and data referred to above be additionally utilized by the Attorney General to enable the department and local public agencies to locate and return abducted children and their parents would make related changes in the record availability provision.

Presently the Uniform Child Custody Jurisdiction Act provides that a court may decline to exercise jurisdiction with regard to award of child custody pursuant to the act in various circumstances such as when the petitioner has wrongfully taken the child from another state or has improperly removed a child from the physical custody of the person entitled to custody.

This bill would provide, in both cases, for notice to the person claiming custody or having legal custody and the district attorney in the other state and, in the first case, upon request, a court order to petitioner to appear in specified custody proceedings instituted in the other state, and in the second case, for placing the child in the custody of the court for a few days, pending return to the legal custodian and related advice to the petitioner.

Under such act, upon request of the court of another state, a court of this state may order a person in this state to appear alone or with the child in a custody proceeding in another state.

This bill would also authorize such a court to issue a warrant of arrest against such person to secure his appearance with the child.

This bill would provide that neither appropriation is made nor obligation created for reimbursement of any local agency for specified reasons

Ch. 1400 (AB 3154) Brown Housing authorities' commissioners' San Francisco

(1) Under existing law, when the governing body of a city and county so determines, the mayor is required to appoint either 5 or 7 members as commissioners of a housing authority, subject to governing body confirmation. If 7 commissioners are appointed, the extra 2 are required to be tenants of the authority and 1 must be a tenant over 62 years

of age.

This bill would require the appointment of 5 members by the mayor and require the mayor to appoint 2 additional tenants of the authority. One of the tenant commissioners appointed would be required to be over 62 years of age if the authority has tenants over 62.

(2) Under existing law there is no requirement that members of a housing authority in a city and county be residents of the city and county.

This bill would require all commissioners appointed on and after January 1, 1977, to the housing authority in a city and county to be residents of the city and county at the time of their appointment and during the term thereof.

Ch. 1401 (SB 1654) Marks. Elections: cancellation of registration.

(1) Existing law provides that if a sample ballot or other notice of election sent to voters is returned by the post office to the county clerk or other officer charged with the duty of conducting an election because of the removal of the voter from the address to which it was sent, and the county clerk or other officer determines that the voter has moved to a new address in the county, the county clerk or other officer, following the election for which the sample ballot or other notice was sent out, may send a notice to the voter by means of a double postcard. One of the postcards must inform the voter of the return of the sample ballot or election notice, and must state that the records on file in the office of the county clerk indicate that the voter is still registered from his old address and that his affidavit of registration has been placed in a suspension file. The other postcard, prepared and preaddressed by the clerk with postage paid by the clerk, must contain blanks wherein the voter may notify the clerk whether his change of address is temporary or permanent and wherein he may sign the postcard. Upon receipt of the postcard, indicating that the change of address is permanent, if the signature on the postcard is the same as appears on the affidavit of registration the clerk must write on front or the back of the voter's affidavit the new address. If the postcard is not returned to the clerk within 30 days after the date of mailing, the voter's registration is removed from the suspension file and canceled.

This bill would repeal such provision.

(2) Existing law requires county clerks to mail one copy of the statewide ballot pamphlet to each registered voter.

This bill would require county clerks, when mailing sample ballots pamphlets at the direct primary election, to include the return address of the county clerk's office on the outside portion of the envelope and to affix to the outside portion of such envelope the following statement: "Address Correction Requested."

(3) Current law provides that a county clerk must cancel the registration of a voter if, among other reasons, the voter fails to vote at the preceding general election unless the clerk is notified in writing by the voter that the residence of the voter has not changed.

This bill would require the county clerk to cancel the registration of a voter if the clerk receives an address correction notice, in connection with the mailing of ballot pamphlets, indicating that such voter no longer resides in the county or has moved and left no forwarding address; however, where the address correction notice indicates that the voter has moved within the county the clerk would be required to notify the voter that his affidavit of registration shall be corrected accordingly, unless the clerk is otherwise notified that the voter wishes to use old address or another address within the county. The bill would not require a voter who has moved within the county to return notice card to the clerk if he desires that his registration affidavit be changed to his new address.

Where the address correction notice indicates that the voter has moved outside the county the clerk would be required to notify the voter that his affidavit of registration shall be canceled unless the clerk is notified that the voter desires to use the old or another address within the county.

The bill would also, with the approval of the county board of supervisors, authorize a similar procedure at local elections.

The bill would impose various deadlines with regard to the foregoing.

The bill would also establish a separate procedure concerning the cancellation of the affidavits of registration of voters registered to vote in federal elections pursuant to Chapter 386 of the Statutes of 1976.

The bill also incorporates further changes in the law proposed by AB 2606 to become operative only if AB 2606 is enacted.

The bill also provides that any state-mandated local costs brought about by the bill will occur after the 1976-77 fiscal year and shall be reimbursed in the appropriate Budget Act.

Ch. 1402 (SB 2031) Cusanovich. School buildings: alteration, reconstruction.

Under existing law, as part of the so-called "Field Act," all new school construction, and any alteration or reconstruction of school buildings exceeding an estimated cost of \$10,000, must be conducted with the approval, and under the supervision of, the Department of General Services.

This bill would increase to \$20,000, the cost of school building alterations and reconstruction which are subject to the approval and supervision of the Department of General Services. The bill would require that work in excess of \$10,000 but not more than \$20,000, and involving structural alteration, be done under the observation of a structural engineer.

Ch. 1403 (AB 2271) Greene. Workers' compensation: lump-sum payments.

The existing law permits the Workmen's Compensation Appeals Board, on its own motion or upon application of either party, to commute workers' compensation payments to a lump-sum payment if, among other things, such commutation is for the best interest of either party, or will avoid inequity and not cause undue expense or hardship to either party.

This bill would permit the appeals board, on its own motion or upon application of either party, to commute workers' compensation payments to a lump-sum payment if, among other things, such commutation is for the best interest of the applicant, or will avoid inequity and not cause undue expense or hardship to the applicant

Ch. 1404 (AB 3367) Maddy. Labor: occupational safety.

Existing law provides that employers may administratively appeal citations and notices of civil penalties for violations under the California Occupational Safety and Health Act of 1973, but makes no provision for such administrative appeal for persons other than employers who are liable to employers for citations or notices involving the condition or operation of machinery, devices, apparatus, or equipment.

This bill would permit a person who is liable to the employer for the repair of the machinery, device, apparatus, or equipment and for the payment of penalties assessed against the employer to appeal such citation or notice for specified reasons within 15 working days after the employer receives the citation.

Ch. 1405 (AB 3858) Duffy. Nursing schools.

Under existing law, the Board of Registered Nursing must deny an application of a nursing school for accreditation if that school does not give a student credit for previous education.

This bill would also require the board to deny applications for accreditation if the school is operated by a community college and discriminates against an applicant because the applicant is seeking to fulfill requirements established by the board related to the additional preparation required of a vocational nurse in order to be examined for licensure as a registered nurse.

Ch. 1406 (SB 1978) Gregorio. Peace officers: Department of Health investigators

Existing law designates specified employees of various governmental agencies as peace officers.

This bill would provide that investigators of the State Department of Health are peace officers solely for the purpose of obtaining and executing search warrants

This bill would incorporate additional changes in Section 830.3 of the Penal Code proposed by Senate Bill 1573 to be operative only if Senate Bill 1573 and this bill are both chaptered and become effective January 1, 1977, and this bill is chaptered last

Ch. 1407 (SB 2095) Deukmejian. Controlled substances: forfeiture of property-vehicles, boats, and airplanes.

Existing law makes subject to forfeiture controlled substances, raw materials and products and equipment, containers, and all books, records, and research products and materials used, or intended for use, in violation of the California Uniform Controlled Substances Act. All seizures of such property are turned over to the Attorney General for destruction or disposition upon the conviction of the owner or defendant.

This bill would make subject to forfeiture, the interest of any registered owner of a boat, airplane, or, with prescribed exceptions, any vehicle which is used, in direct relation to the particular offense for which the owner is arrested and convicted, to unlawfully transport for sale a controlled substance. The bill would provide that any peace officer of this state, upon making or attempting to make an arrest for a violation of specified provisions of the California Uniform Controlled Substances Act, insofar as the offense involves sale, transportation for sale, or possession for sale, to seize such a vehicle, boat, or airplane used to unlawfully transport for sale any controlled substance and [immediately] * deliver it to the State Department of Justice unless the vehicle is held for evidence. Otherwise, such peace ~~office~~ [officer] * would be required to ~~immedi-~~ately * return the property to the registered owner.

The bill would establish procedures for the Department of Justice to determine whether seized vehicles, boats, or airplanes should be forfeited to the state. The forfeiture provisions would not apply to any legal or registered title or interest in vehicles, boats, or airplanes if the owner of the interest in the vehicle, boat, or airplane proves that he had no knowledge of its use for the purposes for which forfeiture is permitted, or to common carriers, or to employees acting within the scope of their employment in enforcement of the California Uniform Controlled Substances Act.

The bill would prohibit any forfeiture from being ordered unless and until a conviction is had for an offense prescribed in the bill.

Ch. 1408 (AB 4021) Fenton. Meyers-Geddes Act.

Under existing law the Meyers-Geddes State Employees' Medical and Hospital Care Act does not permit municipal court judges to be participants.

This bill would permit municipal court judges to enroll under the Meyers-Geddes Act within 90 days of becoming a judge or, if already a judge, within 90 days of the effective date of this bill. The bill would provide that the state is not obligated to make any contribution for active and retired judges pursuant to the bill. The bill would specify that the county of employment of a participating judge shall contribute to the State Employees' Contingency Reserve Fund the sums which would otherwise have been made for such judge had he enrolled in a health benefits plan for other county employees unless the judge enrolls under the county plan, and would prescribe the manner in which such contributions would be applied. The bill would require a participating judge to contribute the cost of enrollment less the county contribution.

The bill would provide that a county shall not be required to contribute any portion of the cost of a health benefits plan for a judge after retirement unless the plan provided for county employees provides such coverage.

Ch. 1409 (SB 2117) Collier. Pilotage: San Francisco, San Pablo, and Suisun Bays.

(1) Existing law prescribes pilotage rates for the Bays of San Francisco, San Pablo, and Suisun and imposes a minimum charge for bar pilotage of \$200 for each vessel piloted. Pilots are required to pay to the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun, for its services and expenses, 5% of pilotage fees. The amount of such fees, however, is computed exclusive of a certain increase in pilotage rates made by Chapter 814 of the Statutes of 1975.

This bill would increase such minimum charge to \$300 for each vessel piloted but would exclude those amounts received that are attributable to such increase from the percentage of pilotage fees that are required to be paid to the board. The bill also would declare the intent of the Legislature that the increase in pilotage rates and this increase in the minimum charge be used for increased operating and boatbuilding expenses incurred by pilots and that an accounting thereof be made, at no cost to the state, to the board, or interested parties, upon request.

(2) Existing law establishes a San Francisco bar pilot pension plan and requires an

additional charge to be levied for pilotage services to finance the plan, but limits the total amount which may be collected and paid out yearly under such plan to \$100,000.

This bill would increase the maximum amount which may be collected and paid out yearly to \$200,000.

Ch 1410 (AB 3463) Fazio. Retail gasoline stations: Franchise Investment Law.

Existing law prohibits any person from offering or selling any franchise unless the offer has been registered with the Commission of Corporations, or exempted therefrom.

This bill would exempt from such requirement a petroleum corporation or distributor under specified conditions.

Ch 1411 (SB 1538) Nejedly. Grand juries.

Under existing law, Contra Costa County is authorized to have only one grand jury.

This bill would authorize the Presiding Judge of the Superior Court of Contra Costa County to order the impanelment of one additional grand jury under specified circumstances. Such additional grand jury would have exclusive jurisdiction over specified matters during its impanelment.

Ch. 1412 (AB 3918) Deddeh. State Teachers' Retirement System. disability benefits

Existing State Teachers' Retirement Law defines "disability" as impairment which can be expected to be of long, continued, and indefinite duration. This bill would instead define "disability" as impairment which can be expected to last continuously for at least 12 months

Existing law defines "projected earned salary" for purposes of computing family benefits. This bill would specify the method for computing projected earned salary when determining the family benefit of a member who dies while receiving a disability.

Existing law defines "projected service" for purposes of computing family benefits. This bill would revise that definition in a technical manner.

Existing law requires applications for disability allowances to be filed no earlier than 6 months before the effective date of retirement. This bill would instead require applications to be filed no earlier than the day following the last day on which service is performed.

Existing law authorizes disability allowance payments while a member is employed and receiving compensation. This bill would authorize disability allowance payments while a member is employed but not performing services, permit a member with eligible children who becomes disabled prior to age 60 to retire for disability after age 60 if their sick leave will extend beyond age 60, and requires applicants to return to this state at their own expense to undergo examinations.

Existing law permits retirement for disability of members with medically determinable physical or mental impairment. This bill would provide that any member who refuses rehabilitation services cannot be found disabled and that disability can be reinstated if a member suffers a recurrence of the original disability within 6 months

Existing law requires members receiving a disability allowance to undergo annual medical examinations if the board so requires. This bill would instead require medical examinations at such times as the board deems necessary.

Existing law requires disability allowances to be reduced by 50¢ for each dollar earned if the person is employed in any capacity. This bill would instead require a reduction when the person's earnings exceed $\frac{2}{3}$ of his previous compensation.

Existing law requires disability allowances to be based upon the highest salary earned during any 12 consecutive months within the 36 months preceding the effective date of disability. This bill would instead require the allowance to be based upon the highest average annual compensation earnable during any period of 3 consecutive years

Ch 1413 (AB 3919) Deddeh. County Employees Retirement Law of 1937: retirement contributions

The existing County Employees Retirement Law specifies that the normal rate of contribution for members, except safety members, must be such as will provide an average annuity at age 60 equal to one one-hundred twentieth of the members' final compensation

This bill would decrease the retirement contribution rate of such members in counties which have adopted certain retirement allowances

This bill would provide that there are no state-mandated local cost requiring reimbursement of any local agency pursuant to the act for a specified reason.

This bill would take effect immediately as an urgency statute.

Ch 1414 (AB 3953) Wilson. State agencies: fines and imprisonment

Existing law contains no express statutory provision which prohibits state agencies from imposing fines or penalties involving imprisonment without express statutory authority to impose such a fine or penalty. However, the courts have held, in interpreting the provisions of Section 1 of Article IV of the California Constitution, that such authority is reserved to the Legislature and no agency may impose fines and penalties involving imprisonment without express statutory authorization

This bill would expressly provide that no state agency shall adopt any rule or regulation, a violation of which can result in the imposition of a fine or imprisonment, or both, unless a statute specifically authorizes the imposition of such punishment for a violation of the rule or regulation

Ch. 1415 (AB 4085) Brown. State Employees' Medical and Hospital Care Act health plan benefits

The existing State Employees' Medical and Hospital Care Act excludes persons who are employed on a less than half-time basis from enrolling in health benefit plans

This bill would allow employees of the California State University and Colleges system granted a partial leave of absence for more than halftime but less than full time to maintain enrollment in health benefit plans provided the employee pays the contributions otherwise required of the trustees on account of the employee's enrollment.

Ch. 1416 (AB 4437) Wornum. Grand jury: additional.

Existing law requires that every superior court, whenever in its opinion the public interest so requires, to make and file an order directing a grand jury to be drawn. In certain counties and cities and counties, under existing law specific authority is given to empanel one additional grand jury under prescribed conditions.

This bill would specifically authorize the presiding judge of the superior court in Marin County to order and direct the empanelment, at any time, of one additional grand jury under specified conditions.

Ch 1417 (AB 4439) Mori. Public social services.

Under current law, an applicant or recipient of aid to the potentially self-supporting blind and medically needy persons under the Medi-Cal Act may retain income-producing real property not exceeding an assessed value of \$5,000 including a mortgage or trust deed not exceeding a market value of \$20,000 from the sale of such property, other than a home, which is reasonably consistent with its value and which does not exceed a certain value and still be eligible for aid.

This bill would provide that the real property retained not exceed a market value, less the amount of any encumbrance of record, of \$25,000 and provide that, in addition to the above, the applicant or recipient may retain such property and still be eligible for aid if it is being adequately utilized. The bill would provide, if the property is not, producing income reasonably consistent with its value, that the recipient be allowed a reasonable time to rent, lease, or sell the property and authorize the applicant or recipient to produce evidence from a qualified real estate appraiser which indicates the value for which the property can be adequately utilized. If the applicant or recipient produces evidence that sale of the property is the only method of adequate utilization, such property shall be considered as adequately utilized if there is a listing of the property for sale with a licensed real estate broker

The bill would also increase the mortgage or trust deed obtained through the sale of such property to not exceed a market value of \$25,000

Ch 1418 (SB 80) Berryhill. Teachers' Retirement System, State

The State Teachers' Retirement Law provides that a member who returns to active service after retirement shall have his allowance reduced when he retires again. The amount of reduction is determined by the amount of service after reentry. Prior to June 30, 1972, there was no reduction if five or more years of service were performed.

The bill would require the recalculation of the retirement allowance of retirants who reentered the system on September 6, 1966, and had five years of credited service prior to June 30, 1972, and subsequently retired on June 9, 1973 and would provide for the repeal of that provision on February 28, 1977.

The bill would require the recalculation of the retirement allowance of retirants who retired from the system on June 18, 1966, were subsequently reinstated to active membership on May 19, 1969, and performed more than 5 years creditable service prior to June 30, 1974, to accrue no earlier than June 1, 1974, and provide for repeal of that provision on February 28, 1977.

The bill would appropriate \$33,100 to the State Teachers' Retirement System for purposes of the act

Ch 1419 (SB 693) Smith. CSUC: auxiliary organizations

Existing law requires the regulations of the Trustees of the California State University and Colleges to require the governing board of each auxiliary organization to provide salaries, working conditions, and benefits, exclusive of retirement and permanent status benefits, for the full-time employees of each auxiliary organization which are comparable to those provided California State University and Colleges employees performing similar services. If the duties of an employee are not comparable to classes in California State University and Colleges employment, the salaries are required to be comparable to salaries prevailing in other educational institutions in the area.

This bill would delete from such requirement the exclusion of retirement and permanent status benefits but make such benefits applicable only to persons employed by a foundation qualifying as an auxiliary organization for at least 3 consecutive years. This bill would also provide that the retirement benefits may be provided by other than the Public Employees' Retirement System.

Finally, it would provide that if the duties of an employee are not comparable to classes in California State University and Colleges employment, salaries are required to be comparable to salaries prevailing in other educational institutions in the area or commercial operations of like nature.

Ch 1420 (SB 803) Behr Public retirement systems. benefits.

Existing public employee retirement law provides for receipt of reciprocal benefits by persons who have service in the Public Employees' Retirement System, retirement systems established under the County Employees' Retirement Law of 1937 and other local retirement systems if the person has 6 months or less break in service between systems after January 1, 1976.

This bill would make those provisions applicable to specified members whose break in service between systems occurred prior to January 1, 1976, but not before April 1, 1970.

Existing County Employees Retirement Law of 1937 prescribes the contributions made to the system by members.

This bill would permit the board of supervisors to elect to pay up to one-half of the contributions normally required of members for any period of time designated in the resolution providing for such payment.

The bill makes additional changes in Sections 20045 and 31840.4 of the Government Code, proposed by Assembly Bill No. 3119 to be operative only if Assembly Bill No. 3119 and this bill are both chaptered and this bill is chaptered after Assembly Bill No. 3119.

No amount would be appropriated to the State Controller to reimburse local agencies for their costs.

Ch. 1421 (SB 2133) Alquist Unemployment insurance· unemployment disability insurance.

Existing law permits governing boards of school districts, county boards of education, county superintendents of schools, and personnel commissions of school districts which have merit systems, to elect to become employers subject to the unemployment compensation disability insurance law, only, with respect to all its employees including those with civil service or tenure positions.

This bill would permit a public school employer, as defined, to elect to become an employer subject to the unemployment compensation disability insurance law with respect to its employees who are a part of an appropriate unit established pursuant to

the public educational employment law.

The public school employer would also be authorized to elect to provide coverage to its management and confidential employees, as defined, and to employees not a part of an appropriate unit

The public school employer would be required, commencing at the time of filing such an election, to withhold employee contributions from the wages of employees so covered

The bill would take effect immediately as an urgency statute

Ch. 1422 (AB 4351) Vasconcellos. Public employees: political activities

Existing state law restricts the solicitation and receipt of campaign contributions while officers and employees of state and local government agencies are on the job. It also restricts the use of government facilities and an employee's official position for political purposes. A state employee may not engage in political activities to the extent such activity has been declared to be incompatible with his duties as a state employee

Federal law presently provides that certain federally funded employees of a state or local government agency may not use their official positions to affect the result of an election, encourage another employee to make a political contribution, or be a candidate for any partisan office other than a political party office.

This bill would repeal the above provisions of state law except those relating to incompatible activities of state employees and those applicable to officers and employees of school districts. It would provide that subject to the exceptions specified in the bill and federal law, no restriction may be placed upon the political activities of officers and employees of state and local government agencies

The bill would reenact an existing provision prohibiting an officeholder, or person seeking election or appointment to office, from using the influence of his position for political purposes. It would also reenact provisions prohibiting a local agency officer or employee from participating in political activities while in uniform and from soliciting political contributions from other agency officers or employees or from persons on the employment lists of the agency. However, the bill would not prohibit an agency officer or employee from communicating requests for contributions to a significant segment of the public.

The bill would also reenact a provision authorizing the solicitation and receipt of political funds to promote the passage or defeat of a measure affecting working conditions in an agency, subject to the employer's authority to prohibit such activity during working hours.

The bill would authorize local agencies and agencies not subject to state civil service to adopt rules and regulations and city and county charters to contain provisions regarding political activities of employees during working hours or on the premises.

Ch. 1423 (AB 4352) Vasconcellos. Political activities: school officers and employees.

Existing law generally limits the political activities of school officers and employees of a school or community college district, as follows, by: (a) prohibiting a public school employee from engaging in political activities during school hours if such political activities are directed to promoting the passage or defeat of a district measure; (b) permitting the governing board of a district to adopt reasonable rules and regulations with regard to political activity by public school employees during normal classroom hours, (c) prohibiting a governing board of a district from adopting or enforcing any rule or regulation restricting district employees from participating in political activities that are not prohibited by the Education Code during their off-duty hours, (d) prohibiting classified school employees from engaging in political activities during their assigned hours of employment; (e) prohibiting district governing board members from soliciting or being concerned in soliciting any assessment, contribution, or political service for any political purpose, from any person in the classified service; (f) prohibiting any officer or employee of the governing board of a district in a merit system district from directly or indirectly coercing, attempting to coerce, pressuring, or attempting to pressure any other officer or employee of the board to support or not to support any political group for a political purpose; and (g) prohibiting school district funds, services, supplies, or equipment from being used for the purpose of urging the passage or defeat of any school measure of the district. In addition, subdivisions (b) through (g) above, except for (e), apply to officers and employees of a county superintendent of schools

This bill would repeal such provisions of existing law, except for the prohibition against the use of school district funds, services, supplies, or equipment, and in lieu thereof, provide that, subject to the exceptions specified in this bill and in federal law, no restriction may be placed upon the political activities of any officer or employee of a local agency, as defined to mean a county superintendent of schools, an elementary, high, or unified school district, or a community college district.

This bill would prohibit any person who holds or is seeking election or appointment to any office or employment in a local agency to unlawfully influence a person seeking election or appointment affecting working conditions in the local agency, except that a local agency may prohibit or limit such activity during working hours and on local-agency-controlled buildings and grounds.

This bill would also qualify the right of an employee of a local agency to engage in political activities by authorizing each local agency to adopt rules and regulations regarding: (a) political activities during working hours, and (b) political activities on the premises of the local agency.

Ch. 1424 (AB 1563) Cullen. Coastal zone. settlements of litigation.

The California Coastal Zone Conservation Act of 1972 provides for the establishment of the California Coastal Zone Conservation Commission and 6 regional coastal zone conservation commissions, with prescribed membership, powers, and duties. The act prohibits developments within designated areas of the coastal zone, as defined, without obtaining a permit from the regional commission or the commission on appeal. The act provides for exemption of various developments from permit requirements.

This bill would authorize the commission to settle, in all respects, upon terms and conditions it shall determine, any judicial proceeding to which it is a party and which involves a claim of exemption under the act, and would provide that participation by a regional commission as a party to such proceeding shall not prevent the commission upon its own authority from effectuating any such settlement. It would provide that such settlement shall be binding upon all parties to the proceeding agreeing thereto and upon the appropriate regional commission. Inclusion of such settlement in the judgment of the court would be specifically authorized.

The bill would take effect immediately as an urgency statute.

Ch. 1425 (AB 3445) Sieroty. Licensees of Private Investigator and Adjuster Act

Under existing law, alarm company operators are not included within the definition of a licensee for purposes of the Private Investigator and Adjuster Act.

This bill would include alarm company operators within such definition and would authorize the Director of Consumer Affairs to adopt and enforce reasonable rules concerning qualifications and classifications of such alarm company operators and alarm agents, as defined.

Existing law makes it unlawful for a person to carry a loaded firearm on his person or in a vehicle in any public place or on any public street, as specified, except for certain persons, including (1) specified guards or messengers of common carriers, banks, and other financial institutions; (2) specified patrol special police officers appointed by the police commission of any city, county, or city and county; (3) specified private investigators, private patrol operators, and operators of a private patrol service; (4) animal control officers or zookeepers, as specified; (5) harbor policemen who were specifically designated; (6) specified uniformed security guards or night watchmen employed by a public agency; (7) specified uniformed security guards regularly employed and compensated as such by persons engaged in any lawful business; and (8) specified employees or agents of a burglar alarm company.

This bill would require that the persons enumerated in (2), (4), and (5) above complete a regular course in firearms training approved by the Commission on Peace Officer Standards and Training in order to be exempt from such prohibition against carrying a loaded firearm, and would provide that the persons enumerated in (1), (3), (6), (7), and (8) above are exempt from such prohibition against carrying a loaded firearm if such persons have a certificate issued by the Department of Consumer Affairs certifying that the person has successfully completed a course of training in the exercise of the powers of arrest which meet certain prescribed standards.

This bill also would provide that no appropriation is made for reimbursement of local

agencies for costs incurred by them pursuant to this act because the Legislature recognizes that during any legislative session a variety of changes to laws relating to crimes and infractions may cause both increased and decreased costs to local government entities which, in the aggregate, do not result in significant identifiable cost changes.

This bill would also incorporate additional changes in Section 12031, to be effective only if [if] * Senate Bill No. 1823 or Senate Bill No. 1333, or both, are chaptered

Ch. 1426 (SB 1823) Dills. Firearms: eligibility to carry

Existing law permits the Director of Consumer Affairs to establish the qualifications which a uniformed employee of a licensed private patrol operator must meet as a condition of eligibility to carry firearms, including a training course and registration with the Bureau of Collection and Investigative Services.

This bill would make any other persons employed as security guards or patrolpersons by such private patrol operators and any law [lawful] * businesses subject to the same qualifications.

Existing law provides that every person who carries a loaded firearm on his person or in a vehicle while in any public place or on any public street in an incorporated city or in any public place or on any public street in a prohibited area of an incorporated territory is guilty of a misdemeanor, with specified exceptions, including guards or messengers of common carriers while actually employed in and about the shipment, transportation, or delivery of any money, treasure, bullion, bonds, or other thing of value within this state.

This bill would additionally exempt contract carriers operating armored vehicles pursuant to California Highway Patrol and Public Utilities Commission authority.

This bill would incorporate additional changes proposed by Assembly Bill No. 3445 to be operative only if Assembly Bill No. 3445 and this bill are both chaptered and become effective January 1, 1977, and this bill is chaptered last.

Ch. 1427 (AB 4531) Goggin. Medi-Cal: minor parents

Under existing law noncustodial parents are liable to the county for aid granted under the aid to families with dependent children program.

This bill would provide that parents are not liable for maternity home care or related services provided to a child under 21 years of age to which such child may give consent.

The provisions of this bill would remain in effect only until December 31, 1977.

This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill.

This bill would take effect immediately, as an urgency statute.

Ch. 1428 (AB 3277) Lockyer. Marketing orders; advisory boards.

The existing provisions of the California Marketing Act of 1937 provide for the establishment of advisory boards to assist the Director of Food and Agriculture in the administration of marketing orders operating under the act. Generally, any such advisory board is composed of persons representing the particular agricultural industry affected by such a marketing order. The Fair Political Practices Act of 1974, as clarified by existing regulations of the Fair Political Practices Commission, requires that, after January 1, 1979, a statute which creates or authorizes a board with industry representatives to contain a declaration that such composition is tantamount to, and constitutes, the public generally for the purposes of the Political Reform Act unless such a declaration is implicit in the statute, in order for such industry representatives to act in the manner prescribed by the California Marketing Act of 1937.

This bill would declare that the producers, or handlers, or both producers and handlers appointed to any advisory board pursuant to designated provisions of the California Marketing Act of 1937 are intended to represent and further the interest of a particular agricultural industry concerned, and that such representation and furtherance is intended to serve the public interest. It would declare the legislative finding that, with respect to persons who are appointed to such advisory boards, the particular industry concerned is tantamount to, and constitutes, the public generally within the meaning of designated provisions.

Ch 1429 (AB 3796) Thurman Governmental commissions, committees, and boards public representation

Under existing law, various segments of the agricultural industry within California are regulated by the state with the assistance of certain committees, boards, and commissions, on each of which are representatives from the particular segment of the agricultural industry regulated by such board, committee, or commission. Included within such industry-represented groups are:

(a) Marketing and grading committees established pursuant to the Agricultural Producers Marketing Law

- (b) The Dairy Council of California.
- (c) The California Beef Council.
- (d) The California Table Grape Commission
- (e) The Agricultural Pest Control Advisory Committee.
- (f) The Apiary Board.
- (g) The Canning Tomato Advisory Committee
- (h) The Cotton Pest Control Board
- (i) The Curly Top Virus Control Board.
- (j) The Fair Budget Review Board
- (k) The Feed Inspection Advisory Board.
- (l) The Grape Inspection Advisory Committee.
- (m) The Horse Drugging Advisory Committee
- (n) The Livestock Identification Advisory Board
- (o) The Milk Pooling Produce Review Board.
- (p) The milk producer regional advisory boards
- (q) The Seed Advisory Board.
- (r) The Shell Egg Advisory Committee.
- (s) The Shipping Point Advisory Committee.
- (t) The State Board of Food and Agriculture.

The Fair Political Practices Act of 1974, as clarified by existing regulations of the Fair Political Practices Commission, requires that, after January 1, 1979, a statute which creates or authorizes a board with industry representatives to contain a declaration that such composition is tantamount to, and constitutes, the public generally for the purposes of the Political Reform Act of 1974 unless such a declaration is implicit in the statute, in order for such industry representatives to act in the manner prescribed by the Agricultural Producers Marketing Law.

This bill would declare that the individuals appointed to the above specified groups, pursuant to designated provisions, are intended to represent and further the interest of a particular agricultural industry concerned, and that such representation and furtherance is intended to serve the public interest. The bill would also declare the legislative finding that, with respect to persons who are appointed to such specified groups, the particular industry concerned is tantamount to, and constitutes, the public generally within the meaning of designated provisions.

Ch. 1430 (AB 2521) Keysor. Elections: Democratic presidential electors.

- (1) Existing law provides for a Democratic State Convention

This bill would repeal such provisions.

(2) Existing law provides for the selection of Democratic presidential electors by the Democratic State Convention.

This bill would provide instead for the selection of one Democratic presidential elector by each congressional nominee, and one by each United States senatorial nominee at the last two United States senatorial elections, any vacancies to be filled by the state party chairman

The bill would take effect immediately as an urgency statute.

Ch. 1431 (AB 2831) McVittie. Medical advisory committee.

Existing law provides that the medical advisory committee of the Division of Industrial Accidents shall be composed of seven physicians representing medical specialties concerned with the treatment of industrial injury and disease

This bill would add an additional member to the medical advisory committee, who would be required to be a chiropractor licensed to practice in this state. The bill would

also require the physician members to be certificated to practice in this state

Ch. 1432 (AB 3781) McCarthy. California Council on Criminal Justice: composition.

Under existing law, the composition of the California Council on Criminal Justice is required to include, among other members, 15 specified persons appointed by the Governor, 6 specified persons appointed by the Speaker of the Assembly, and 6 by the Senate Rules Committee.

This bill would increase the composition of such council by eight members who would be appointed by the Governor, Senate Rules Committee, and the Speaker of the Assembly, as specified.

Ch. 1433 (AB 4178) Vasconcellos. Human sexuality; licensing requirements

Existing law does not require any licensee of the Business and Professions Code to complete a course in human sexuality.

This bill would require any person seeking or renewing a license, registration, or first renewal of such license as a licensed clinical social worker and any person seeking a license as a marriage, family and child counselor or psychologist to show evidence of completed training in human sexuality, as defined, as a condition of licensure or registration. This bill would also provide that such training shall be creditable toward continuing education requirements as deemed appropriate by the regulatory agency. The bill would require the administrative agency regulating a particular business or profession to determine the content and length of such training.

The bill would require any licensing board or agency proposing to establish a training program in human sexuality to consult with other such boards or agencies which have established or propose to establish such training programs to insure compatibility.

This bill would provide that the act is to be operative January 1, 1978, except that those provisions requiring the agency to determine the length and content of training, to evaluate training, and to report to the Legislature, would become operative on the effective date of the act.

Ch. 1434 (AB 4179) Vasconcellos. Physicians and surgeons; human sexuality.

Existing law does not require an applicant for a physician's and surgeon's certificate to complete a course in human sexuality as a condition of licensure.

This bill would require that the curriculum for an applicant for a physician's and surgeon's certificate provide for adequate instruction in human sexuality, as defined.

Under existing law, persons holding physician's and surgeon's certificates must comply with continuing education requirements. This bill would require the Board of Medical Quality Assurance to consider including a course in human sexuality among those continuing education requirements for certain physicians and surgeons.

This bill would also require the Board of Medical Quality Assurance to determine the length and content of such training, to evaluate available training, and to report to the Legislature.

The bill would require any licensing board or agency proposing to establish a training program in human sexuality to consult with other such boards or agencies which have established or propose to establish such training programs to insure compatibility.

The bill would provide that the act is to be operative on and after January 1, 1978, except that those provisions requiring the board to determine the length and content of training, to evaluate training, and to report to the Legislature, would become operative on the effective date of the act.

Ch. 1435 (AB 4202) Campbell. Peace officers: firemen.

Existing law provides that members of a fire department of a local agency are peace officers and that their exclusive duty when acting as peace officers is the enforcement of laws relating to fire prevention and fire suppression except when designated as peace officers for specified gun and weapon control purposes by local ordinance or resolution.

This bill would instead generally provide that members of a fire department or fire protection agency of the state, of a county, city, or district are peace officers in the enforcement of laws relating to fire prevention and fire suppression.

This bill would incorporate additional changes in Section 830.3 of the Penal Code proposed by Senate Bill 1978 to be operative only if Senate Bill 1978 and this bill are both chaptered and become effective January 1, 1977, and this bill is chaptered last.

Ch 1436 (AB 1891) Assemblyman Dixon and Joint Committee on Legal Equality
Sex: gender and related changes.

The existing law contains many references to the masculine gender or the feminine gender within provisions that apply to both men and women.

This bill would recast various terms previously couched in the masculine or feminine genders to refer to both genders in provisions that are applicable to both men and women. This bill would also make related changes regarding sex, marital status, and surviving spouse distinctions contained in existing law.

Existing law provides that upon the death of member of the Legislators' Retirement System and members of the Public Employees' Retirement System and retirement systems established under the County Employees Retirement Law of 1937, certain survivor's allowances shall be paid to a widow or widower receiving at least one-half of his support from the member at the time of his death and a different allowance is paid to a widow of 62 years of age or widower of 65 years of age who meets the same support test at the time of the member's death.

This bill would remove such support test and also remove the age distinction between widow and widower and, instead, apply age 62 years to both widow and widower.

Certain existing provisions of the Public Employees' Retirement Law and County Employees Retirement Law of 1937 prescribe different increments for calculating the service retirement allowances of male and female members.

This bill would require the allowances to be calculated using the same increments. This bill would also prohibit different contribution rates and benefits for males and females under other city and county retirement systems.

Existing law prohibits sex, race, or marital discrimination in the state civil service system, except that positions which in the opinion of the appointing authority require the services of a specific sex may be reserved to that sex.

This bill would remove such exception from the law and, instead, prohibit such reservation of a position to a particular sex.

Existing County Employees Retirement Law of 1937 permits the board of supervisors and the governing body of districts to either provide that the contributions of all members shall be based on sex and age or on age and the male mortality table.

This bill would require that such contributions be based only on age and the male mortality table.

The bill would increase employer contributions to the Public Employees' Retirement System for miscellaneous members and industrial by specified percentage.

This bill would declare the legislative intent that, in specified codes, the terms "man" or "men" where appropriate be deemed "person" or "persons."

This bill would also direct that forms and materials used by any public agency, insurer, or person which incorporates the terms "man" or "men" be modified to substitute the terms "person" or "persons" after the present supply of such forms and materials is exhausted.

This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency or school district for any costs incurred by it pursuant to the act.

This bill would incorporate additional changes in Section 21251.13 of the Government Code, proposed by Assembly Bill No. 3119, to be effective only if Assembly Bill No. 3119 and this bill are both chaptered and become effective on or before January 1, 1977, and this bill is chaptered last.

This bill would incorporate additional changes in Section 21382 of the Government Code, proposed by Assembly Bill No. 3188, to be effective only if Assembly Bill No. 3188 and this bill are both chaptered and become effective on or before January 1, 1977, and this bill is chaptered last.

This bill would incorporate additional changes in Section 31676.15 of the Government Code, proposed by Assembly Bill No. 3748, to be effective only if Assembly Bill No. 3748 and this bill are both chaptered and become effective on or before January 1, 1977, and this bill is chaptered last.

This bill would incorporate additional changes in Section 31676.15 of the Government Code, proposed by Assembly Bill No. 4012, to be effective only if Assembly Bill No. 4012 and this bill are both chaptered and become effective on or before January 1, 1977, and this bill is chaptered last.

This bill would incorporate additional changes in Section 31676 15 of the Government Code, proposed by Senate Bill No. 1993, to be effective only if Senate Bill No. 1993 and this bill are both chaptered and become effective on or before January 1, 1977, and this bill is chaptered last

Ch 1437 (AB 3467) William Thomas. Elections recall.

Existing law provides procedures for the recall of elected officers of the state, school districts, districts subject to the Uniform District Election Law, other special districts, cities, and counties.

This bill would repeal such procedures and enact new provisions governing the recall of such officers. This bill would also incorporate further changes in the law proposed by AB 62 in the event that bill is enacted

This bill would incorporate additional changes in Section 3517 of the Elections Code proposed by Assembly Bill No. 3318.

Ch 1438 (AB 3846) Keyser Elections

Existing law requires the Secretary of State to supply each institution of higher learning with 25 copies of, and each high school with 10 copies of, the propositions and constitutional amendments and to deliver such to the Superintendent of Public Instruction. Existing law also requires the Secretary of State to supply two copies of statewide ballot pamphlets to each public high school.

This bill would, instead of the above, require the Secretary of State to supply 12 copies of statewide ballot pamphlets to each public high school, and 25 copies to each public institution of higher learning.

Under current law, original books of affidavits of registration and any other material necessary to verify the signatures of voters may be furnished to election officers. As a result of Chapter 220 of the Statutes of 1976, the authority to furnish such election materials to election officers will cease

This bill would continue the operation of current law

This bill would also make numerous technical nonsubstantive changes in existing and proposed law, and incorporates certain changes proposed by other bills.

Ch. 1439 (AB 3060) Keene Cessation of medical care for terminal patients.

No existing statute prescribes a procedure whereby a person may provide in advance for the withholding or withdrawal of medical care in the event the person should suffer a terminal illness or mortal injury

This bill would expressly authorize the withholding or withdrawal of life-sustaining procedures, as defined, from adult patients afflicted with a terminal condition, as defined, where the patient has executed a directive in the form and manner prescribed by the bill. Such a directive would generally be effective for 5 years from the date of execution unless sooner revoked in a specified manner. This bill would relieve physicians, licensed health professionals acting under the direction of a physician, and health facilities from civil liability, and would relieve physicians and licensed health professionals acting under the direction of a physician from criminal prosecution or charges of unprofessional conduct, for withholding or withdrawing life-sustaining procedures in accordance with the provisions of the bill.

The bill would provide that such a withholding or withdrawal of life-sustaining procedures shall not constitute a suicide nor impair or invalidate life insurance, and the bill would specify that the making of such a directive shall not restrict, inhibit, or impair the sale, procurement, or issuance of life insurance or modify existing life insurance. The bill would provide that health insurance carriers, as prescribed, could not require execution of a directive as a condition for being insured for, or receiving, health care services.

The bill would make it a misdemeanor to willfully conceal, cancel, deface, obliterate, or damage the directive of another without the declarant's consent. Any person, not justified or excused by law, who falsifies or forges the directive of another or willfully conceals or withholds personal knowledge of a prescribed revocation with the intent to cause a withholding or withdrawal of life-sustaining procedures contrary to the wishes of the declarant and thereby causes life-sustaining procedures to be withheld or withdrawn, and death to thereby be hastened, would be subject to prosecution for unlawful homicide.

This bill would also provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement nor appropriation made by this bill for a specified reason.

Ch. 1440 (AB 400) McCarthy. Public resources: parks and coastal management

(A) Under existing law funds in the Bagley Conservation Fund are available for beach, park, and land acquisition programs and coastline planning and development of recreational facilities which do not require continuous funding.

This bill would appropriate \$31,276,506 † from the General Fund for transfer to the Bagley Conservation Fund. Such funds in the Bagley Conservation Fund would be appropriated for the following purposes:

(1) Support of the agency designated by statute to assume responsibility for coastal zone management after January 1, 1977.

(2) Land acquisitions by the Department of Parks and Recreation at various beaches and coastal units of the state park system. Land that is situated in the County of Los Angeles would be acquired subject to the requirement that the department obtain from the county an agreement that the county will operate and maintain such land. Further, authorization would be made for applying grant moneys received by the state pursuant to the Federal Land and Water Conservation Act of 1965 to the cost of acquiring lands at El Matador and El Pescador Beaches in the County of Los Angeles. In this connection, this bill would, if chaptered after AB 2995 of the current session, free funds proposed to be appropriated thereby from a requirement that the state contribute such grant moneys to meet a specified portion of the acquisition costs of El Matador Beach and would, instead, provide that any deficiency in funding such acquisition (after combining appropriations made by AB 2995 and this bill) shall be met with such grant moneys.

(3) Capital outlay by the department for hostel facilities at locations on or near the coast that are readily accessible to low- and middle-income populations of major urban areas and that are most suitable for providing visitor facilities for the greatest number of such persons. The department would be required to submit its plan for such facilities to the Joint Legislative Budget Committee prior to expending funds for such facilities. In this connection, existing provisions of law would be amended to authorize the department to provide hostel facilities at local and regional parks and recreation areas, in addition to units of the state park system, subject to the requirement that the local or regional public agency having jurisdiction over the park or recreation area agree to care, maintain, and control the facility at its expense.

(B) The provisions of Senate Bill No 1277, very generally, would enact the California Coastal Act of 1976 and establish, in the Resources Agency, the California Coastal Commission and, for designated period, 6 regional coastal commissions, and prescribe their membership, powers, and duties, with respect to the management of resources within the coastal zone, as defined. SB 1277 would designate the commission as the successor in interest to all remaining obligations, powers, duties, responsibilities, benefits, and interest of the California Coastal Zone Conservation Commission or any regional coastal zone conservation commission established under the California Coastal Zone Conservation Act of 1972, in effect until January 1, 1977.

SB 1277, among other things, would prescribe policies of the state with respect to public access, recreation, marine environment, land resources, development, and industrial development, provide, generally, for carrying out such policies in connection with management of the coastal resources, and provide for specific policies and procedures for governing designated ports in the state.

The provisions of AB 2948 would revise the California Coastal Act of 1976 to, in relevant part:

(1) Provide regional commissions shall only take action or have powers or duties after the state commission has certified the regional commission for any region is necessary to expedite the review of local coastal programs and coastal development permit applications and makes provision for such certification.

(2) Provide the designation of a sensitive coastal resource area shall be recommended to the Legislature for designation as such by concurrent resolution, provide that if such resolution is not adopted within two years the area shall cease being a sensitive coastal resource area and prescribe procedure for legislative consideration.

(3) Revise an exception to the requirement for a coastal development permit for

† Appropriation reduced to \$13,326,506 by action of the Governor.

urban land areas meeting specified conditions if the local agency so requests and the commission makes requisite findings.

This bill, contingent upon enactment of both SB 1277 and AB 2948, would:

(1) Require the California Coastal Zone Conservation Commission to base its determination of whether to make a regional commission operative upon projected workload, rather than anticipated workload.

(2) Provide for the designation of a sensitive coastal resource area by the Legislature by statute, rather than by concurrent resolution.

(3) Authorize court actions to restrain violations of an exclusion for specified urban land areas

(4) Make a technical change.

(C) This bill would take effect immediately as an urgency statute.

Ch 1441 (AB 3544) Wornum. State Coastal Conservancy.

There is no existing law providing for a state agency with authority or responsibility to act as a conservancy over specific areas in the coastal zone of the state

This bill, in general, would do the following

(1) Declare legislative findings relating to the lands within the coastal zone, as defined.

(2) Establish in the Resources Agency, the State Coastal Conservancy and prescribe its membership, powers, and duties.

(3) Authorize the conservancy to acquire fee title, development rights, easements, and other interests in designated land located in the coastal zone, subject to certification by the California Coastal Commission (proposed to be established by SB 1277), require the conservancy to return to private use or ownership lands so acquired for agricultural preservation, and require the conservancy to annually transfer, when appropriated, specified percentage of gross income derived from leasing of designated lands to the county in which such lands are situated.

(4) Authorize the conservancy to award grants, as prescribed, to local public agencies for coastal restoration projects and coastal resources enhancement projects, as defined, and authorize the conservancy to undertake any such project under prescribed conditions

(5) Provide for the establishment of resource protection zones and the reservation of significant coastal resources areas, and authorize the conservancy to award grants for the acquisition of such zones and to make loans for the purpose of reserving such significant coastal resource areas.

(6) Provide for the acquisition by the Department of Parks and Recreation of public accessways along the coastline of the state, and authorize the conservancy to award grants for such purposes

(7) Provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill.

(8) Provide that this bill shall become operative only if SB 1277 is enacted.

Ch 1442 (AB 3353) Gualco Unemployment compensation.

Existing law defines "state employee" for purposes of unemployment compensation as an individual who has permanent or probationary civil service status, and who, among other things, receives notice of layoff or terminates his employment due to certain reductions in staff.

This bill would delete the requirement that employees have terminated employment due to reductions in staff.

This bill would specify that it applies only to individuals whose separation from state civil service occurs on or after January 1, 1977, except that claims filed by newly covered state employees shall not be valid unless the claim has an effective date on or after January 1, 1978

Ch 1443 (SB 686) Presley. Courts

(1) Existing law specifies the salaries for regular official reporters and official reporters pro tempore in Riverside, San Luis Obispo and San Bernardino Counties, and court filing fees in various counties. This bill would increase the salaries for regular official reporters and official reporters pro tempore in Riverside, San Luis Obispo and San

Bernardino Counties and would also increase the court filing fees in San Luis Obispo County

(2) Existing law specifies the fees a juror receives in San Bernardino County

This bill would make an adjustment in the method of determining such fees

(3) Present law also requires the Judicial Council to provide by rule for the maintenance of specified records regarding the work product and fees of official court reporters in certain counties, and to audit and inspect such records, and submit an annual report to the boards of supervisors of the certain counties and also to the Legislature summarizing the information contained in the records.

This bill would require the Judicial Council to also provide for the maintenance of such records for San Luis Obispo County and to also audit and inspect such records and submit an annual report of the records to the Board of Supervisors of San Luis Obispo County and the Legislature

The bill makes certain findings concerning court reporters and their salaries.

This bill would make the provisions of the bill which relate to San Luis Obispo inseverable.

The bill would further provide that the provisions of the bill which relate to San Bernardino and a provision of existing law relating to the maintenance of records regarding court reporters in San Bernardino County are inseverable.

(4) The bill would further provide that no appropriation or reimbursement of local agencies is made for costs incurred by them pursuant to this bill for a specified reason.

Ch. 1444 (SB 812) Rains Public Employees' Retirement System: death benefits

Existing Public Employees' Retirement Law prescribes the method of computing the death benefits of members who have not completed repayment of normal contributions

This bill would permit members who retire after January 1, 1976 to elect to repay the balance of contributions by having amounts deducted from their allowances

The bill would take effect immediately as an urgency statute

Ch 1445 (SB 1355) Rains. Courts Santa Barbara County.

Existing law makes provisions for municipal court personnel and specifies the salaries and fringe benefits for such personnel and the regular official reporters of the superior and municipal court in Santa Barbara County, and requires the regular official reporters of the superior court to render stenographic or clerical assistance to that court, at no additional compensation, when not actually performing other lawfully imposed duties.

This bill would change some of the classifications and increase the salaries for some municipal court employees and regular official reporters in Santa Barbara County, and would decrease some of the fringe benefits for such reporters and would remove the requirement for regular official reporters of the superior court to render clerical or stenographic assistance to the court.

Chapter 1278 of the Statutes of 1975, amended various sections of the Government Code relating to the courts in Santa Barbara County and court reporters

This bill would also provide that if any provision of Chapter 1278 of the Statutes of 1975, relating to court reporters is held invalid, every provision of this act relating to court reporters shall be invalid

Notwithstanding Section 2231 of the Revenue and Taxation Code, the bill would make no reimbursement nor appropriation because of a specified reason.

The bill would go into effect immediately as an urgency statute

Ch. 1446 (SB 1409) Stiern. Alcoholic beverages.

Existing law authorizes the issuance of an alcoholic beverage license to any bona fide club meeting specified qualifications and which authorizes the sale of alcoholic beverages only to bona fide members of the club and their bona fide guests.

This bill would include as a bona fide club any nonprofit social organization which, among other things, has as its purposes to foster and develop social relations among its members and to foster pride in the national origin of its members by promoting appreciation of such national origin and its contribution to the American social order. The bill would make it unlawful for any club licensed pursuant to such provisions to make any discrimination, distinction, or restriction against any person on account of such person's color, race, religion, ancestry, national origin, sex, or age.

This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency or school district for any costs incurred by it pursuant to the bill.

Ch. 1447 (SB 1476) Collier. Municipal courts: Butte County.

Existing law classifies and provides for compensation for municipal court employees in Butte County.

This bill would increase the compensation for municipal court employees in Butte County.

Notwithstanding Section 2231 of the Revenue and Taxation Code, the bill would make no reimbursement nor appropriation because of a specified reason.

Ch. 1448 (SB 1479) Deukmejian. Public Employees' Retirement System: state safety.

Existing Public Employees' Retirement Law includes specified institution firemen as state safety members.

This bill would terminate the federal social security coverage of such members by designating them "firemen" for purposes of social security provisions. The act would not become operative until a ruling authorizing such inclusion is issued by the federal agency.

Ch. 1449 (SB 1743) Grunsky. Municipal courts: San Luis Obispo County.

Existing law provides for the classification and compensation for municipal court personnel in San Luis Obispo County.

This bill would change some of the classifications and increase the salaries of municipal court personnel in San Luis Obispo County.

The bill would further provide that no appropriation or reimbursement of local agencies is made for costs incurred by them pursuant to this bill for a specified reason.

Ch. 1450 (SB 1763) Cusanovich. Statistical analyses: San Fernando Valley.

Existing law does not recognize the San Fernando Valley as a separate entity for purposes of statistical analyses.

This bill would require the Controller, in preparing and maintaining any statistical analyses by classification of local governmental entities, to make a separate breakdown on the San Fernando Valley as described.

With respect to reports of the State Controller on local revenue sources other than property tax or sales tax, the Controller in making such a breakdown may waive reporting requirements for any revenue source which is collected in minimal amounts or which is distributed evenly in the entire city and may allocate such revenue on the basis of the Finance Department population estimates for the statistical area or areas.

The bill would become effective only if Senate Bill No. 1762 of the 1975-76 session of the Legislature becomes law.

The bill also provides that its provisions would be repealed effective July 1, 1978.

Ch. 1451 (SB 1765) Gregorio. Municipal courts: San Mateo County.

Existing law prescribes the number and compensation of the municipal court personnel of San Mateo County municipal court districts.

This bill would increase both the compensation and number of such personnel.

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desired authority to act pursuant to the act.

Ch. 1452 (SB 1766) Gregorio. Superior court reporters: San Mateo County and San Diego County.

Existing law prescribes the compensation of superior court reporters in San Mateo County and San Diego County.

This bill would increase the salaries of regular official reporters and the per diem of pro tempore reporters of the counties.

Present law also requires the Judicial Council to provide by rule for the maintenance of specified records regarding the work product and fees of official court reporters in certain counties, and to audit and inspect such records, and submit an annual report to

the boards of supervisors of the certain counties and also to the Legislature summarizing the information contained in the records

This bill would require the Judicial Council to also provide for the maintenance of such records for San Diego County, and to also audit and inspect such records and submit an annual report of the records to the Board of Supervisors of San Diego County and the Legislature

The bill makes certain findings declaring that the subject of the bill requires legislative action affecting San Diego County

The bill would also make the provisions of the act inseverable from Section 68519 of the Government Code which contains similar provisions regarding records and reports by the Judicial Council with respect to San Mateo County

This bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desired authority to act pursuant to the act.

Ch 1453 (SB 1767) Gregorio Municipal court reporters: San Mateo County

Existing law specifies monthly and annual salaries for regular official reporters and per diem compensation for official reporters pro tempore in the municipal courts in San Mateo County

This bill would increase the salaries for the regular official reporters pursuant to a 5-step biweekly salary schedule and would also increase the per diem compensation for official reporters pro tempore in the municipal courts in San Mateo County

The bill would also make the provisions of the bill inseverable from Section 68519 of the Government Code, as it relates to San Mateo County.

The bill would further provide that no appropriation or reimbursement of local agencies is made for costs incurred by them pursuant to this bill for a specified reason.

Ch 1454 (SB 1788) Deukmejian Public Employees' Retirement System local members.

Existing Public Employees' Retirement Law permits election of provisions for survivor's benefits to unremarried spouses with respect to members who die before retirement

The bill would also permit contracting agencies to elect to provide an increased preretirement survivor benefit for local members

Ch. 1455 (SB 1868) Carpenter. Superior courts Orange County.

Existing law specifies the number and salaries of superior court personnel in Orange County.

This bill would change the number and increase the salaries of such personnel.

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desired authority to act pursuant to the act

Ch 1456 (SB 1874) Carpenter. Municipal courts. Orange County

Existing law specifies the number, positions and compensation of municipal court personnel in Orange County

This bill would increase the number and compensation and change the positions of such personnel.

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desired authority to act pursuant to the act

Ch 1457 (SB 1884) Stull County water authorities

Existing law provides for county water authorities as separate public corporate entities with designated powers, including issuing bonds and incurring indebtedness. Any proposal to incur indebtedness by a county water authority in excess of \$1,000,000, by contract other than by voting bonds or expenditure of bond proceeds for any public improvements or works, or for the repayment of costs thereof, and any proposal to purchase, lease, or otherwise acquire rights, privileges, or services by contract, for which the compensation is payable over a period of time in excess of 5 years, must be submitted to election

This bill would change the debt provisions to permit a county water authority, on vote of $\frac{2}{3}$ of the members of the board, to incur indebtedness by contract other than by voting bonds or expenditure of bond proceeds up to $\frac{1}{10}$ of 1% of the assessed valuation of taxable property in the authority for all existing purposes of the authority. The bill would require the authority to submit to election any proposal to incur debt by contract, other than by voting bonds or expenditure of bond funds, which would exceed $\frac{1}{10}$ of 1% of the assessed valuation of taxable property in the authority.

The bill would also require the authority to submit to an election any proposal to purchase, lease, or otherwise acquire rights, privileges, or services by contract for which the compensation is payable over a period of time exceeding 20 years.

The express limitation of such indebtedness to the acquisition, construction, or completion of public improvements or works, or for the repayment of the costs thereof, would be deleted.

The bill would also permit the board, on $\frac{3}{4}$ vote of the members of the board, to incur indebtedness without election for the repair or replacement of any authority works damaged or destroyed by fire, flood, earthquake, sabotage, acts of God or the public enemy, upon findings, by issuing and selling bonds or other evidences of indebtedness. Such debt would not be permitted to exceed $\frac{1}{2}$ of 1% of the assessed value of the taxable property of the authority, would have a maximum term of 12 years, and bear interest at a rate not to exceed 8% per annum.

The bill would also permit the annexation of territory in a federal military reservation to the authority on approval of the military reservation, and provides for taxing of private property interests on such military reservation and for charges, priority, and delivery of water for use on and by such military reservation, and for the terms and conditions of the annexation which are imposed and approved by the authority, and, if the authority is a member agency of a metropolitan water district, for such terms and conditions to be imposed for the concurrent annexation by such district.

Existing law grants the homeowners' property tax exemption in the amount of \$7,000 of the full value of qualified dwellings and continuously appropriates state funds for subventions to local government to compensate for property tax revenues lost by reason of such exemption.

This bill would increase the amount of such appropriation by authorizing an increased rate of property tax.

Ch. 1458 (SB 2012) Collier. Court reporters. Shasta County.

(1) Existing law specifies the compensation and conditions of employment of superior court reporters in Shasta County. Parties in civil cases in the Superior Court of Shasta County are required to pay an additional fee of \$3 for specified filings in order to defray the cost of court reporter services.

This bill would increase the compensation and change the conditions of employment of such court reporters. It would increase the additional filing fee from \$3 to \$10 and establish a new fee equal to the per diem rate for official reporters pro tempore for the 6th and each succeeding day a reporter is required in a civil case.

(2) Present law also requires the Judicial Council to provide by rule for the maintenance of specified records regarding the work product and fees of official court reporters in certain counties, and to audit and inspect such records, and submit an annual report to the boards of supervisors of the certain counties and also to the Legislature summarizing the information contained in the records.

This bill would require the Judicial Council to also provide for the maintenance of such records for Shasta County, and to also audit and inspect such records and submit an annual report of the records to the Board of Supervisors of Shasta County and the Legislature.

(3) The bill makes certain findings declaring that the subject of the bill requires legislative action affecting Shasta County.

The bill would also make the provisions of the act inseverable.

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desired authority to act pursuant to the act.

Ch. 1459 (SB 2054) Nejedly. Cities' insurance

Under existing law, if authorized by their legislative or other governing bodies, two or more public agencies, including cities, by agreement may jointly exercise any power common to the contracting parties, who may establish a separate agency to administer the joint agreement. Also under existing law, two or more local public entities may provide for self-insurance for various specified purposes through the execution of a joint powers agreement under such provisions

This bill would authorize such self-insurance for any purpose, in addition to those purposes specified in existing law.

This bill would require that the pooling of self-insured claims or losses among local public entities pursuant to such provisions of existing law not be considered insurance nor be subject to regulation under the Insurance Code

Ch. 1460 (SB 2115) Zenovich. Court employees' Fresno and Madera Counties.

(1) Existing law provides for the classification of and salaries for municipal court employees in Fresno County

This bill would revise some of the salary levels of municipal court employees in Fresno County, and would provide for equalization of [municipal] * court reporters' compensation with that paid to other county employees upon recommendation of the judges of the court and with the approval of the board of supervisors

(2) Current law provides for the compensation of superior court reporters in Fresno County.

This bill would increase the amount of such compensation [, and would provide for equalization of superior court reporters' compensation with that paid to other county employees upon recommendation of the judges of the court and with the approval of the board of supervisors] *

(3) Existing law provides that the per diem for superior court reporters in Madera County is \$55

This bill would increase the per diem from \$55 to \$75.

(4) Present law also requires the Judicial Council to provide by rule for the maintenance of specified records regarding the work product and fees of official court reporters in specified counties, and to audit and inspect such records, and submit an annual report to the board of supervisors of each such county and also to the Legislature summarizing the information contained in the records

This bill would require the Judicial Council to also provide for the maintenance of such records for Madera County, and to also audit and inspect such records and submit an annual report of the records to the Board of Supervisors of Madera County and the Legislature

The bill makes certain findings declaring that the subject of the bill requires legislative action affecting Madera County.

The bill would also make the provisions of the bill relating to Fresno County inseverable from each other and from Section 68513 of the Government Code regarding records and reporting of court ~~report~~ [reporters'] * salaries, as it relates to Fresno County.

The bill would further make the provisions of the bill relating to Madera County inseverable from each other.

The bill would further provide that no appropriation or reimbursement of local agencies is made for costs incurred by them pursuant to this bill for a specified reason

Ch. 1461 (AB 1043) McVittie. Veterinary medicine

Existing law provides that the Board of Examiners in Veterinary Medicine may revoke or suspend the certificate of a veterinarian for, among other things, conduct reflecting unfavorably on the profession of veterinary medicine.

This bill revises such provision by providing that any act or omission with knowledge thereof which reflects unfavorably on the profession shall constitute a cause for revocation or suspension of a veterinarians certificate.

Ch. 1462 (AB 1898) Chel Insurance: reciprocal insurers.

(1) Existing law imposes various restrictions upon the issuance of corporate securities in this state, including certain qualification requirements concerning issuer transactions, recapitalizations and reorganizations, and nonissuer transactions.

This bill would exempt from such restrictions and requirements unincorporated interindemnity or reciprocal or interinsurance contracts between members of specified cooperative corporations composed solely of licensed physicians and surgeons if specified criteria are met

(2) Existing law imposes various requirements and limitations upon unincorporated interindemnity and reciprocal or interinsurance contracts

This bill would exempt from all Insurance Code provisions unincorporated interindemnity or reciprocal or interinsurance contracts between members of such specified cooperative corporations composed solely of licensed physicians and surgeons if the specified criteria are met

(3) This bill would also take effect immediately as an urgency statute

(4) This bill would incorporate the changes in Section 25100, Corporations Code, proposed by AB 4053, to be effective only if AB 4053 and this bill are both chaptered and become effective on or before January 1, 1977, and this bill is chaptered last, in which case such additional changes would become operative on the operative date of AB 4053

Ch 1463 (AB 2622) Chimbole Antelope Valley-East Kern Water Agency

(1) Existing law provides for maintaining of ground water rights by use of or replenishment by, an alternate, nontributary, source by users in certain designated counties.

This bill would provide, if SB 1927 is not enacted, for maintaining ground water rights by use of, or replenishment by, an alternate, nontributary source by users in Kern County

(2) Existing law provides for compensation of the directors of the Antelope Valley-East Kern Water Agency at \$20 per meeting up to three meetings per month

This bill would change such compensation to \$20 per meeting or day of service up to six meetings per month plus the expenses incurred by the director for performance of duties for the agency

(3) Existing law authorizes the Antelope Valley-East Kern Water Agency to issue negotiable promissory notes bearing interest at **up to 6 percent per annum** [a rate not to exceed 8 percent per year] *, maturing within three years and not greater in total outstanding debt than the lesser of \$500,000 or 2 percent of the assessed valuation of the taxable property in the agency.

This bill would ~~authorize such notes to be issued bearing interest up to 8 percent per annum;~~ [conform the Antelope Valley-East Kern Water Agency Law to existing law governing maximum interest rates for such notes and authorize the agency to issue notes] * maturing in 5 years and of aggregate value outstanding the lesser of \$2,000,000 or 2 percent of the assessed valuation of the taxable property in the agency

(4) Existing law provides for certain officers in the Antelope Valley-East Kern Water Agency, including a chief engineer and a general manager. Under existing law, the chief engineer has full charge and control of the maintenance, operation, and construction of the waterworks of the agency, the authority to employ, direct, and discharge employees, and such other duties as imposed on him by the board of directors.

This bill would provide that either the chief engineer or the general manager, as may be designated by the board, would have such duties and authority

(5) Existing law defines the powers of the Antelope Valley-East Kern Water Agency

This bill would authorize the agency to enact regulations to perform its duties and provides that violations of such regulations are misdemeanors and sets the maximum penalties. The bill would permit the agency to fix standby charges on property in the agency for collection with the regular tax payments to the county, and would provide that unpaid charges for agency water, standby, and other services constitute liens upon the property. The bill would also provide that all charges of the agency are to be levied, collected, and enforced as are municipal ad valorem taxes except when a prior bona fide lien has attached to such property, and that such collection procedures may be used against mutual water companies as well as individuals.

(6) The bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section, nor appropriation made by this act for a specified reason

Ch 1464 (AB 2668) Gualco Housing: area housing councils.

Under existing law, the governing body of any city or county may enter into agreements with any other city or county to form an area housing council. The council is required to develop an area housing plan covering the cities and counties comprising the council's membership and is authorized to require a surcharge on building permits not exceeding $\frac{1}{10}$ th of 1% of the cost of building construction and improvements for the financing of its business operations.

This bill would revise the definition for area housing plan and would revise the membership requirements for area housing councils. The bill would increase the amount of the surcharge on building permits which the council could require member cities and counties to collect to an amount not exceeding $\frac{1}{10}$ th of 1% of the estimated cost of building construction and improvements. The bill would also revise provisions governing allocation of such moneys between area housing councils and member counties and cities.

The bill would authorize area housing councils to provide homeowner counseling and to develop programs for rehabilitation and improvement of residential dwellings.

The bill would provide for disbursement of revenue collected from the surcharge on building permits when withdrawal from or dissolution of the council occurs.

The bill would expressly permit areawide housing councils to employ staff of member counties and cities or of prescribed councils of government in developing the area housing plan. The bill would expressly authorize the area housing plan to contain a housing allocation plan, as specified, but would require such housing allocation plan to be consistent with any regional housing allocation plan for the area adopted by a council of governments certified by the United States Department of Housing and Urban Development to do comprehensive areawide planning.

Ch 1465 (AB 2759) Bane Insurance: medical malpractice

Existing law contains various capital reserve requirements for insurers, including reciprocal or interinsurance exchanges.

This bill would exempt from all such reserve requirements reciprocal or interinsurance exchanges composed of specified hospital districts or any health facility, as defined, and their respective attending medical staffs which meet designated criteria. It would also permit such hospital districts to coinsure with their medical staffs and to issue bonds for the purpose of coinsurance plans between the hospital and its medical staff.

This bill also incorporates the amendments to Section 990 of the Government Code proposed by Assembly Bill No. 1059, to be effective if this bill and AB 1059 are both chaptered and become effective January 1, 1977, both amend Section 990, and this bill is chaptered after AB 1059.

Ch 1466 (AB 2965) Lockyer Child development services.

Existing law provides for the establishment and operation of child development programs for prekindergarten and school age children and their parents under the supervision of the Department of Education.

This bill would, among other things (1) include part-day preschool educational programs for prekindergarten age children, as defined, within the definition of child development services; (2) require the Superintendent of Public Instruction commencing November 1, 1977, and on or before November 1 for each year thereafter to submit a report to the Joint Budget Committee documenting the performance of child development programs during the preceding fiscal year; (3) delete the authorization for accreditation of neighborhood family day care homes by the school district in which the home is located and instead provide that such accreditation is to be administered by the Department of Education; (4) delete the priority for services given children who qualify for services pursuant to programs which are in whole or in part federally funded and instead provide that such priority is to be given on the basis of family marital status and income, with higher priority being assigned children of single-parent families with the lowest incomes; (5) delete the present detailed fee schedule for services and instead provide that insofar as federal funds are utilized, the fee schedule established by the Superintendent of Public Instruction shall conform to that allowed by designated federal law; (6) prohibit the charging of fees for the state preschool program; (7) specify maximum reimbursement rates for child development services; (8) revise various crite-

ria with regard to the pilot study established by current law to test and develop a coordinated child care delivery system and extend its existence from January 1, 1976 to July 1, 1977; (9) authorize governing boards of community college districts to maintain a child development program; and (10) recast various definitions and related provisions of law

It would also take effect immediately as an urgency statute

Ch 1467 (AB 3126) Alatorre State highways. noise abatement: schools.

Under existing law, the Department of Transportation is required to undertake a noise abatement program in the classrooms, libraries, multipurpose rooms, and spaces used for pupil personnel services of a public or private elementary or secondary school (1) if the noise produced by an adjoining state freeway, as measured in such structures, exceeds a specified level and (2) if they were constructed prior to the award of the initial construction contract for the freeway and prior to January 1, 1974, or after December 31, 1973, but prior to the issuance of noise contours for that freeway for the appropriate general plan.

This bill would require the department to undertake such a program at the Santa Teresita Parish School near State Highway Route 10 in the City of Los Angeles, notwithstanding the fact that the school was constructed in 1949 after the initial construction contract for Route 10 was let.

The bill would specify that such provisions shall not be construed to affect any other school's eligibility for a noise abatement program

The bill would also specify a norm for the necessity of this special law

Ch 1468 (AB 3223) Torres. Highways: noise abatement: schools.

Under existing law, the Department of Transportation is required to undertake a noise abatement program in the classrooms, libraries, multipurpose rooms, and spaces used for pupil personnel services of a public or private elementary or secondary school (1) if the state freeway noise level in them measures 50 or more decibels on the "A" scale and (2) if they were constructed prior to the award of the initial construction contract for the freeway and prior to January 1, 1974, or after December 31, 1973, but prior to the issuance of noise contours for that freeway for the appropriate general plan

The "A" scale means the "A" weighting described in Section 3.1 of the American National Standard specification for sound level meters, S1.4-1971, approved April 22, 1971, and published by the American National Standards Institute

This bill would require the department to undertake such a program at the Soto Street School of the Los Angeles Unified School District, notwithstanding the fact that the traffic noise level in the front portion of the school is produced by traffic on a city street.

The bill would declare that a special law is necessary

Ch 1469 (AB 3242) Perino. School buildings. earthquake safety

Under existing law, school buildings constructed prior to 1933, generally are required to meet the so-called "Field Act" standards of earthquake safety. Certain auxiliary structures are excluded from the definition of "school building" for these purposes, as well as buildings utilized by adult schools or community colleges for off-campus voluntary adult education courses.

Existing law also provides for the exclusion of school buildings owned or occupied by a school district or county superintendent of schools that have been used exclusively for adult education classes on and after July 1, 1975.

This bill would exclude any building owned or occupied by a unified school district, high school district or a county superintendent of schools which is used exclusively for adult education

The bill would take effect immediately, as an urgency statute

Ch 1470 (AB 3319) Lewis Schools: buildings: leases

Under current law, buildings which do not comply with the Field Act may be leased for general school purposes only if they are "temporary use buildings," which may be leased for only three years.

This bill would permit the continued use of leased facilities which do not meet Field Act requirements for continuation education purposes until the completion of replace-

ment facilities or until June 15, 1980, whichever occurs first, if such facilities had been used for such purposes for at least five years prior to July 1, 1976

This bill would be limited in application and would be repealed as of June 15, 1980.

This bill would take effect immediately as an urgency statute.

Ch 1471 (AB 3373) Campbell. Public Employees' Retirement System: membership.

Existing Public Employees' Retirement Law includes campus firefighters within the state miscellaneous membership category

This bill would include campus firefighters in the state safety membership category

The bill would not be operative until the federal agency authorizes the inclusion of such members within the definition of "fireman" for purposes of the Social Security Act thereby terminating coverage for such persons under the act

Ch 1472 (AB 3429) Keene. Court reporters: Humboldt County

(1) Existing law provides a specific salary for court reporters in Humboldt County

This bill would increase that salary and provide that specified annual adjustments shall be made by the board of supervisors

This bill also specifies the method municipal court reporters in Humboldt County are to be selected, their salaries and further provides that any changes in their salaries shall be on an interim basis unless ratified by the Legislature.

(2) Present law also requires the Judicial Council to provide by rule for the maintenance of specified records regarding the work product and fees of official court reporters in certain counties, and to audit and inspect such records, and submit an annual report to the boards of supervisors of the certain counties and also to the Legislature summarizing the information contained in the records

This bill would require the Judicial Council to also provide for the maintenance of such records for Humboldt County, and to also audit and inspect such records and submit an annual report of the records to the Board of Supervisors of Humboldt County and the Legislature.

(3) The bill makes certain findings declaring that the subject of the bill requires legislative action affecting Humboldt County.

(4) The bill would provide that notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement nor any appropriation made for a specified reason, and would take effect immediately as an urgency statute.

(5) This bill would also make the provisions of the act inseverable.

Ch 1473 (AB 3517) Goggin. Emergency medical services: advisory committee membership

Under existing law, the Advisory Committee on Emergency Medical Services in the State Department of Health consists of 18 members. The 18 members include three physicians and surgeons, one of whom is currently practicing in emergency medical care and one of whom is in private practice, and 3 licensed professional nurses (as specified), one of whom is currently engaged as an emergency nurse.

The bill would, instead, require that two of such 3 physicians and surgeons be primarily engaged in the practice of emergency medical care, and that two of such 3 licensed professional nurses be primarily engaged as emergency nurses.

Ch 1474 (AB 3530) Murphy. Municipal court filing fees: Santa Cruz County.

Existing law specifies the fees for filing first papers in municipal courts.

This bill would increase the fees for filing first papers in the municipal courts in Santa Cruz County

Ch 1475 (AB 3578) Siegler. Municipal courts: Napa County, Sonoma County, Fairfield-Suisun, and Vallejo.

(1) Existing law prescribes the number and compensation of municipal court personnel in Napa County.

This bill would increase the number and compensation of such personnel, change the name of such court, and make various technical, nonsubstantive changes

(2) Existing law specifies the compensation and composition of municipal court employees in the Vallejo Municipal Court District.

This bill would decrease the number of female deputy marshals and would establish new classifications and increase the compensation for other employees in the Vallejo Municipal Court District.

(3) Present law prescribes the number and compensation of municipal court personnel in the Fairfield-Suisun Municipal Court District.

The bill would adjust the classification and composition of the employees in the Fairfield-Suisun Municipal Court District.

(4) Existing law prescribes the compensation and classification of municipal court personnel in Sonoma County.

This bill would increase the compensation of such personnel, reclassify a position as deputy jury commissioner, and make various technical, nonsubstantive changes

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desired authority to act pursuant to the act.

Ch 1476 (AB 3588) Kapiloff. County Employees' Retirement Law of 1937 public service credit.

The existing County Employees' Retirement Law of 1937 permits members to receive credit as "public service," upon payment by the member of prescribed contributions and interest, for service rendered for a "public agency." Existing law defines "public agency" to include, among other things, the United States or any department or agency thereof.

This bill would provide that public service also means service rendered for a department or agency of the District of Columbia, for which the individual is not entitled to receive credit in any other retirement system

Ch 1477 (AB 3633) Mobley Schools: attendance; 1976 Bicentennial year

Under current law, excusable absences for illness and attending funeral services are generally not counted as absences for purposes of crediting average daily attendance of full-time day schools.

This bill would authorize the Superintendent of Public Instruction, for the 1976 calendar year, to permit school districts to excuse pupils enrolled in full-time day schools from school during any schoolday which falls in such year to enable such pupils to participate in one or more Bicentennial events or celebrations. Absences shall not exceed 4 days for any pupil during the 1976 calendar year and shall not be deemed absences for purposes of computing the attendance of the pupil

This bill would take effect immediately as an urgency statute

Ch 1478 (AB 3669) Lewis Schools mentally gifted minors

Under existing law, the governing board of any school district or any county superintendent of schools may maintain certain classes on Saturday or Sunday, or both

This bill would include special day classes for mentally gifted minors.

Ch 1479 (AB 3677) Craven. Social security: termination.

Existing state law governing the state and federal agreement for Federal Social Security Act coverage of public employees defines various categories of law enforcement employees as "policeman," thereby terminating the social security coverage of such employees.

This bill by including specified county probation officers and juvenile hall employees within such definition of "policeman" would also terminate their social security coverage. It would not become operative until action by the federal agency authorizing such inclusion and would be operative only in counties which elect to terminate such coverage and to include such officers and employees in the safety membership retirement category

Ch 1480 (AB 3869) Chappie Water district indebtedness

(1) Under existing law, irrigation district bonds may bear interest at a rate not to exceed 8% per year

This bill would permit bonds to bear interest at a rate or rates not exceeding 10% per year if, before issuance of the bonds, the board determines that the interest on the bonds will be subject to federal income taxation under then existing law

(2) Existing law authorizes county water districts to issue revenue bonds pursuant to the Revenue Bond Law of 1941 on behalf of the district or an improvement district of the district, with a maturity date not to exceed 40 years from the dates of the bonds and at an interest rate not to exceed 8% per year, payable annually or semiannually.

This bill would authorize county water districts to issue such revenue bonds with a maturity date not to exceed 50 years from the dates of the bonds and, upon a determination before issuance that the interest on the bonds would be subject to federal income taxation under then existing law, at an interest rate not to exceed 10% per year, payable annually or semiannually.

(3) Under existing law, the Desert Water Agency may issue negotiable promissory notes bearing interest at a rate not to exceed 8% per year for specified purposes.

This bill would conform the Desert Water Agency Law to existing law.

(4) Under existing law, revenue bonds issued pursuant to the Revenue Bond Law of 1941 may bear interest at a rate not to exceed 8% per year.

This bill would permit revenue bonds issued pursuant to such law by the Kings River Conservation District to bear interest at a rate or rates not exceeding 10% per year if, before issuance of the bonds, the governing board of the district determines that the interest on the bonds will be subject to federal income taxation under then existing law.

Ch. 1481 (AB 3878) Mori. Court interpreters.

Existing law authorizes the municipal courts in Alameda County to hire bilingual interpreters on a per diem basis.

This bill would permit the Oakland-Piedmont Municipal Court in Alameda County to employ a full-time court interpreter.

The bill would further provide that no appropriation or reimbursement of local agencies is made for costs incurred by them pursuant to this bill for a specified reason.

Ch. 1482 (AB 4020) Fenton Courts: Los Angeles County.

(1) Existing law specifies the number, classification, and compensation for employees of the Los Angeles County Superior Court.

This bill would adjust the number, classification, and compensation of such employees.

(2) Existing law specifies the number, classification, compensation and conditions of employment of personnel of the Marshal of Municipal Courts, Los Angeles County.

This bill would change the number, classification and conditions of employment of various personnel and increase the compensation of all such personnel.

(3) Existing law requires the Judicial Council to provide by rule for the maintenance of records regarding the work product and fees of municipal court reporters in Los Angeles County and court reporters in other specified counties, and to audit, inspect, and report on such records to the boards of supervisors of such counties and the Legislature.

This bill would require the Judicial Council also to provide for the maintenance of such records regarding superior court reporters in Los Angeles County and to audit, inspect, and report on such records.

The bill also makes certain findings declaring that the subject of the bill requires legislative action affecting only Los Angeles County.

The bill would make those provisions which increase the compensation of superior court reporters in Los Angeles County inseverable from the provisions requiring the Judicial Council to provide for the maintenance of records regarding superior court reporters in Los Angeles County and to audit, inspect, and report on such records.

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desired authority to act pursuant to the act.

Ch. 1483 (AB 4073) Miller. Attorneys

Under existing law the Board of Governors of the State Bar is authorized to fix annual membership fees for active members of the State Bar within legislatively prescribed limits. The limits presently in effect are (1) \$90 for an active member admitted to the practice of law in this state for 5 or more years, (2) \$70 for an active member admitted to the practice of law in this state for less than 5 but more than 2 years, and (3) \$50 for an active member admitted to the practice of law in this state for less than 2 years. In

addition, the board has authority to impose in any or all years through 1982 a \$10 fee per member for land acquisition and construction purposes related to the conduct of the affairs of the State Bar. The board also has authority to impose a \$10 fee per member in any year to administer the client security fund.

This bill would revise the limitations on the board's authority to fix annual membership fees for active members of the State Bar, as follows:

For the calendar year 1977, the limits would be (1) \$130 for active members admitted to the practice of law in this state for 10 or more years, (2) \$115 for active members admitted to the practice of law in this state for less than 10 but more than 5 years, (3) \$85 for active members admitted to the practice of law in this state for less than 5 but more than 2 years, and (4) \$55 for active members admitted to the practice of law in this state for less than 2 years.

This bill would request the Joint Legislative Audit Committee to request the Auditor General to review and study the functioning, programs, and fees of the State Bar

Ch 1484 (AB 4089) Fenton. Municipal courts. Los Angeles County.

Existing law provides for the number, classifications and compensation of municipal court personnel in Los Angeles County

This bill would change the number, create some new classifications, and increase the compensation of all such personnel other than those in the marshal's office

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desired authority to act pursuant to the act.

Ch 1485 (AB 4340) Suitt. Schools: Field Act exemption

Under the so-called Field Act, school buildings must conform to certain earthquake structural standards. Existing law excludes certain school structures and facilities from the term "school building" for such purposes.

This bill would exclude from the term "school building" for purposes of the Field Act, any greenhouse used exclusively for the cultivation or protection of agricultural or horticultural products.

Ch 1486 (AB 3840) Burke. School buildings: Field Act.

Under existing law, "school buildings," as defined, are required to conform to certain structural standards prescribed pursuant to the so-called Field Act

This bill would exempt from such requirements any building which is used by a school district or county superintendent of schools for classes or programs in outdoor science, conservation, and forestry, and which does not occupy the same site as any school maintained by the district or county superintendent

This bill would incorporate changes in proposed Section 15452.3 of the Education Code, as proposed to be added by AB 4340 and SB 2126 (now Ch. 450, Stats. 1976), to be operative in a specified manner.

The bill would take effect immediately as an urgency statute.

Ch 1487 (AB 4491) Goggin. Municipal courts: San Bernardino County

Existing law specifies the number of personnel of the San Bernardino County Municipal Court District.

This bill would adjust the number of such personnel and make a technical, nonsubstantive change

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desired authority to act pursuant to the act

DIGESTS OF RESOLUTIONS AND PROPOSED
CONSTITUTIONAL AMENDMENTS
ADOPTED IN 1976

1975-76 REGULAR SESSION

RESOLUTION CHAPTERS

Res. Ch. 1 (ACR 131) Lockyer City charters.

Approves amendment to Charter of the City of San Leandro

Res. Ch. 2 (SCA 16) Nejedly. Property taxation: postponement.

The existing Constitution does not specifically provide that the Legislature may provide for a manner in which a low-income person 62 or older may postpone the payment of taxes on the dwelling which he occupies on the lien date as his principal place of residence nor that the state must compensate local government for property tax losses caused thereby. Such compensation for revenue losses caused by laws enacted by the Legislature exempting or classifying property is, however, covered by statute

This measure would specifically authorize the Legislature to provide for a manner in which any person with a low or moderate income who is 62 years of age or older may postpone the payment of taxes on the dwelling which he occupies on the lien date as his principal place of residence. The measure would also require the Legislature to provide for subventions to local government to compensate for revenues lost by reason of any such postponement and for reimbursement to the state, including interest and any state costs, when postponed taxes are paid.

Res. Ch. 3 (SCR 74) Dills Memorial resolution on the passing of Harrison W. Call.

The measure memorializes Harrison W. Call, a former Member of the California Legislature, on the occasion of his death.

Res. Ch. 4 (AJR 54) Chel. Relative to crude oil prices.

This measure would request the Federal Energy Administration to establish California crude oil prices at a parity with those of other oil-producing states.

Res. Ch. 5 (ACA 40) Keene. Constitutional revision.

The present provisions of the California Constitution are placed in various articles

The measure would effect a partial revision of the California Constitution by deleting, transferring, and consolidating provisions from certain articles and reinserting them with nonsubstantive changes in the same or different articles.

This measure would also make technical, nonsubstantive changes

This measure would provide that certain provisions contained therein become operative only upon the occurrence of the adoption or failure to adopt amendments to Section 22 of Article XX as proposed by SCA 19.

Res. Ch. 6 (ACR 132) Berman. Joint Committee on Legal Equality

Under present law the Joint Committee on Legal Equality is authorized to act until January 30, 1976, and to file its final report not later than such date. The existence of the advisory committee to the joint committee is also authorized until that date

This resolution would continue such authorization until December 31, 1976

Res. Ch. 7 (SCR 76) Song. Joint Committee on the Structure of the Judiciary

This resolution would continue the existence of the Joint Committee on the Structure of the Judiciary through November 30, 1976.

Res. Ch. 8 (AJR 35) Mobley Land acquisition; governmental agencies

Under existing law and regulations, generally, governmental agencies acquire land for public purposes

This measure would memorialize the President, Vice President, and Congress to restrict federal governmental agencies from acquiring more land, unless such acquisition is for a specifically defined use for which the agency has the necessary capability and funding to acquire and maintain it in accordance with such land use

Res. Ch. 9 (SCR 77) Presley. Motor vehicle emissions inspection

This measure would create a technical advisory panel consisting of not more than 15 members to consult with and advise the Joint Committee on Motor Vehicle Inspections on matters relating to motor vehicle emissions inspection.

Res. Ch. 10 (SJR 20) Garcia. Voting Rights Act of 1965

This measure would memorialize the Congress of the United States to appropriate to state and local governments all of the funds necessary to insure full compliance with the Voting Rights Act of 1965.

Res. Ch. 11 (SJR 42) Presley. Child day care funds.

The resolution would memorialize the President and Congress of the United States to enact and implement pending legislation that would increase federal funds available for child day care services.

Res. Ch. 12 (SCR 66) Grunsky. Joint Legislative Budget Committee.

This measure would amend Joint Rule 37, which generally governs activities of the Joint Legislative Budget Committee and the Legislative Analyst, to prohibit the rules committees from assigning matters for study to either the joint committee or the analyst without first obtaining the joint committee's estimate of the cost of making the study. The measure would also require any legislative resolution assigning such matters for study to be referred to the respective rules committees, and would require the rules committees to obtain cost estimates for such study from the joint committee prior to acting upon such resolution.

Res. Ch. 13 (SJR 31) Dunlap. Civil service retirement benefits for interned Japanese-Americans.

Memorializes the Congress of the United States to enact legislation granting federal civil service retirement credit to Japanese-Americans for time spent in World War II internment camps.

Res. Ch. 14 (ACR 110) Hughes. Public transit—older Californians.

This measure would request the Legislative Analyst to conduct a study of the impact on revenues of public transit operators in providing free transit services to senior citizens over 62 years of age during nonpeak hours between 10:00 a.m. and 2:00 p.m., Monday through Friday, and to submit his findings and recommendations to the Legislature not later than January 10, 1977.

Res. Ch. 15 (ACR 91) Chimbole. Lamont Odett Scenic Vista Point

This measure would designate as the Lamont Odett Scenic Vista Point the scenic vista point located on State Highway Route 14 south of Avenue S in Antelope Valley in Los Angeles County.

Res. Ch. 16 (AJR 31) Chacon. Tuna: tariffs on imports.

Existing law provides for federal tariffs on tuna imported into the United States; administered through the United States International Trade Commission which is currently holding hearings on the subject of reducing or eliminating such tariffs

The bill would memorialize the commission, and the President and the Congress of the United States to keep such tariffs at their present level

Res. Ch. 17 (SCR 67) Schrade. Roscoe E. Hazard Memorial Bridge.

This measure would designate the Adams Avenue Bridge over State Highway Route 805 in the City of San Diego as the Roscoe E. Hazard Memorial Bridge.

Res. Ch. 18 (ACR 111) MacDonald. State railroad transportation planning.

This measure would declare the Legislature's recognition of the necessity of undertaking rail transportation planning. It would request the Department of Transportation to ensure that personnel with rail transportation experience are included in planning devoted to rail transportation in the California Transportation Plan and would request the State Transportation Board to consider tradeoffs in the department's work program for the diversion of certain transportation planning funds to the rail transportation planning effort. It would request the department to ensure that state rail transportation

planning is included within the California Transportation Plan and to prepare a proposal for the soliciting and receiving of rail transportation planning funds from the federal government.

Res. Ch. 19 (ACR 82) Mobley. Reedley College and West Hills Community College directional signs

This measure requests the Department of Transportation to erect directional signs to Reedley College and to West Hills Community College on State Highway Route 99 and Interstate Route 5.

Res. Ch. 20 (AJR 30) Suitt International streams: water quality.

Existing federal law provides for grants to states for programs for the prevention, reduction, and elimination of water pollution in accordance with national goals relating to water quality. It is also stated as a matter of congressional policy that the President and Secretary of State of the United States take all necessary action to secure the cooperation of foreign countries in achieving such national goals.

This measure would memorialize the President and the United States Secretary of State to seek an executive agreement with the government of Mexico for providing assistance in implementing waste treatment programs in specified Mexican cities

Res. Ch. 21 (AJR 38) Chimbole. Aircraft noise abatement.

This measure would memorialize the Administrator of the Federal Aviation Administration to take specified actions to achieve noise reduction for existing jet aircraft at the earliest possible date

Res. Ch. 22 (AJR 42) MacDonald. Meat inspection: charitable organizations

Under the present federal regulations, a restaurant may not donate uncooked meat over a certain prescribed amount without inspection.

This measure would memorialize the President, Congress, and the Secretary of Agriculture to take all the necessary actions to modify the present meat inspection regulations to permit any restaurant to donate any amount of uncooked wholesome, unadulterated meat to any charitable organization

Res. Ch. 23 (ACR 97) Antonovich. Small business state paperwork requirements.

This measure would require the Assembly Office of Research to identify the direct cost to a small business, as defined, when complying with state paperwork requirements and to report its findings to the Governor and Legislature not later than three months after the effective date of this measure.

Res. Ch. 24 (ACA 90) Keene. Constitutional revision.

Assembly Constitutional Amendment No. 40 of the 1975-76 Regular Session (Resolution Chapter 5, Statutes of 1975) would, if adopted by the people, effect a partial revision of the California Constitution by deleting, transferring and consolidating provisions from certain articles and reinserting them with nonsubstantive changes in the same or different articles.

This measure would direct the Secretary of State to make certain technical, nonsubstantive amendments in the above measure

Res. Ch. 25 (SCR 59) Holden. State Highway Route 90.

Presently, State Highway Route 90 is designated the Richard M. Nixon Freeway

This measure would redesignate that highway as the Marina Freeway.

Res. Ch. 26 (ACR 155) Ralph. Public Officers Compensation Commission

Resolution Chapter 130 of the Statutes of 1975 created a Public Officers Compensation Commission as an advisory committee to the California Legislature, and directed the commission to study matters relating to compensation and benefits of statewide elected officers, and members of the judiciary and the Legislature. The commission's existence terminated on March 2, 1976.

This measure would create a Public Officers Compensation Commission, as a successor to the previous commission, having the same composition, authority, and responsibilities as the previous commission

The persons who were serving on such previous commission on February 29, 1976, would also serve on the successor commission, and it would be specifically provided that the person who was Chairman of the Commission on California State Government Organization and Economy on the effective date of the measure which created the previous commission would be chairman of the successor commission.

Additionally, the successor commission would be directed to include in its study matters relating to compensation and benefits of the members of the State Board of Equalization.

The successor commission would be required to submit to the Legislature a proposed constitutional amendment and a report on or before May 15, 1976. The commission would be abolished on May 16, 1976.

This measure would allocate from the Contingent Funds of the Assembly and Senate, for expenditure by the commission, an amount of money equal to the amount unexpended by the previous commission upon its termination.

Res. Ch. 27 (AJR 64) Garamendi. Meat inspectors' transfer to federal service.

This measure would memorialize the Congress, the President of the United States, the Secretary of Agriculture, and the United States Civil Service Commission to take immediately all necessary actions that will protect state meat inspectors from certain losses in pay and benefits upon their transfer to federal service and to give immediate attention to federal legislation providing for certain benefits to state meat and poultry inspectors who are transferred to the federal service.

Res. Ch. 28 (SCR 41) Nejedly. Medi-Cal.

The measure requests the State Department of Health to reexamine its Medi-Cal fee schedules in light of the high cost of medical malpractice insurance and to make a report to the Legislature by May 15, 1976.

Res. Ch. 29 (SJR 40) Deukmejian. Federal General Revenue Sharing Program. extension.

This measure would memorialize the President and Congress of the United States to expedite and assure the passage of appropriate legislation as soon as feasible, to extend the Federal General Revenue Sharing Program beyond December 31, 1976.

Res. Ch. 30 (ACR 130) McAlister. California Law Revision Commission.

Existing law requires the California Law Revision Commission to file a report at each regular session of the Legislature containing a calendar of topics selected by it for study, including a list of studies in progress and a list of topics intended for future consideration; and, after the filing of the commission's first report its studies are confined to topics set forth in the calendar contained in its last preceding report which are thereafter approved for its study, or referred to it for study, by concurrent resolution of the Legislature.

This resolution would authorize the commission to continue its study of numerous, specified topics which the Legislature has previously authorized or directed the commission to study.

Res. Ch. 31 (AJR 55) Carpenter. Wine labeling.

This measure would petition the Food and Drug Administration to reconsider and rescind its action ordering ingredient labeling on wine as of January 1, 1977.

Res. Ch. 32 (SJR 46) Dunlap. Wine standards.

This measure would memorialize the Federal Bureau of Alcohol, Tobacco and Firearms to initiate and apply a procedure, for establishing appellations of origin where grapes are grown and where wine is produced, which would include the advice of local growers, processors, and enological experts in wine-growing regions within each of the states as to appropriate standards and guidelines for granting such appellations of origin. It would also memorialize the Federal Bureau of Alcohol, Tobacco and Firearms to establish wine appellations that are sufficiently precise to permit the wine consumer to have adequate information concerning the origin of his wine purchases.

Res. Ch. 33 (ACR 149) Burke. Huntington Beach Fourth of July Parade.

This measure would adopt the Huntington Beach Fourth of July Parade as the state's Bicentennial Parade

Res. Ch. 34 (ACR 150) Chacon Indian health services

Directs the Department of Health to proceed to implement fully Chapter 606 of the Statutes of 1975, including the execution of contracts or grants, or advances thereon, or a combination thereof, to provide the needed financial assistance for a comprehensive health services delivery system for Indians in urban and rural areas

Res. Ch. 35 (SCA 14) Stull. University of California Regents

(1) The California Constitution presently designates the University of California a public trust to be administered by the Regents of the University of California with full powers of organization and government and management and disposition of property of the university, subject only to such legislative control as necessary to insure the security of its funds and compliance with the terms of the endowments of the university.

This measure would expand the area of permissible control by the Legislature to include compliance with such competitive bidding procedures as may be made applicable to the university by statute for the letting of construction contracts, sales of real property, and purchasing of materials, goods, and services

(2) The Constitution presently specifies that no person shall be debarred admission to any department of the university on account of sex

This measure would add race, religion, and ethnic heritage as grounds upon which a person's admission to any department of the university shall not be debarred

The measure would make additional technical changes.

Res. Ch. 36 (ACR 123) Perino San Joaquin flood control

This measure would request the Department of Water Resources, the Department of Fish and Game, the Reclamation Board, the Department of Parks and Recreation, and the State Lands Commission, under the coordination of the Resources Agency, to study the various actions which might be taken with respect to flood control problems on the San Joaquin River between Friant Dam and the deepwater channel at Stockton and to report thereon to the Legislature by January 1, 1977.

Res. Ch. 37 (AJR 70) Fazio. Smithsonian Institution

This measure would request that the Board of Regents of the Smithsonian Institution conduct a study to determine the feasibility of a joint federal-state effort to establish a western bureau of the Smithsonian Institution in Sacramento, California.

Res. Ch. 38 (SCR 30) Kennick. Employee benefit counseling.

Requests the State Personnel Board in cooperation with the Public Employees' Retirement System, the State Compensation Insurance Fund, Department of Rehabilitation, Regents and California State University and Colleges trustees, to make a comprehensive study of counseling needs of employees with respect to health insurance benefits, retirement benefits, worker's compensation, disability benefits and rehabilitation, and to make recommendations with respect to the staffing and funding requirements for the effective conduct of such a program and report to the Legislature no later than January 10, 1977.

Res. Ch. 39 (AJR 61) Carpenter Mobilehomes: housing assistance payments

Under existing federal regulations, owner-occupied mobilehomes do not qualify for the Section 8 Housing Assistance Payments Program

This measure would memorialize the President, Congress, and the Secretary of Housing and Urban Development to modify the current federal regulations to include owner-occupied mobilehomes in the Section 8 Housing Assistance Payments Program

Res. Ch. 40 (SJR 47) Holden (RIs) Full employment

This measure would memorialize the President and the Congress of the United States to enact legislation which guarantees all adult Americans able and willing to work the availability of an equal opportunity for useful and rewarding employment

Res. Ch. 41 (SCR 57) Behr. Juan Manuel de Ayala Vista Point.

This measure would designate the vista point located adjacent to State Highway Route 101 at post mile 0.2± in Marin County the Juan Manuel de Ayala Vista Point

Res. Ch. 42 (AJR 40) Antonovich. Federal air travel regulations

Requests the Federal Aviation Administration to expedite the issuance of regulations affecting air travel by handicapped persons.

Res. Ch. 43 (ACR 125) Kapiloff. Projected personnel reduction at the Department of Transportation.

Resolves that state agencies make every effort to hire personnel who are displaced from the projected layoff of the Department of Transportation and that there be a freeze on hiring new state employees for classifications similar to those which are projected to be vacated by the layoff at the Department of Transportation

Res. Ch. 44 (ACR 92) Mobley. State Highway Route 41: City of Fresno.

This measure would request the California Highway Commission to recognize the efforts made by the City of Fresno to provide for the completion of State Highway Route 41 as a freeway and to consider appropriate means to expedite the construction of that portion of Route 41 within the city as a freeway.

Res. Ch. 45 (SCR 89) Presley. Joint Committee on Motor Vehicle Inspections: continuance.

Authorization for the Joint Committee on Motor Vehicle Inspections will expire June 30, 1976.

This measure would continue the committee in existence until June 30, 1977.

Res. Ch. 46 (SCR 79) Gregorio. Alcoholism.

This measure would direct the Office of Alcoholism to concentrate its efforts and resources on specified societal goals and to determine and implement the most effective methods to achieve these goals. This measure would also direct the Office of Alcoholism to include each year in its annual report to the Legislature a discussion regarding such goals, the methods chosen to achieve them, their success or failure in doing so, and the reasons therefor.

Res. Ch. 47 (ACR 226) Boatwright. Temporary Joint Rules: Budget Bill.

Subdivision (c) of Rule 29.5 of the Temporary Joint Rules limits the Committee on Conference on the Budget Bill to consideration only of differences between the version of the Budget Bill in conference as passed by each house and prohibits the approval of any item of expenditure nor control which exceeds that contained in one of the two versions before the committee.

This measure would suspend operation of subdivision (c) of Rule 29.5 of the Temporary Joint Rules with respect to the Budget Bill for the 1976-77 fiscal year, but subject to the proviso that the Committee on Conference on the Budget Bill shall only consider differences between the budget bills as passed by each house of the Legislature and that the committee shall not approve any item of expenditure nor control which exceeds that contained in one of the two bills as so passed.

Res. Ch. 48 (SCR 101) Grunsky. Joint Legislative Budget Committee: appropriation.

This measure would make available to the Joint Legislative Budget Committee from the Contingent Funds of the Assembly and Senate the sum of \$2,450,000

Res. Ch. 49 (SJR 44) Alquist. Amtrak.

This measure would memorialize the President and Congress of the United States to provide Amtrak with a 1976-77 fiscal year budget sufficient for the maintenance of present services, extension of intercity passenger rail services, and upgrading of other commuter rail services.

Res. Ch. 50 (SJR 48) Collier. Forest fire prevention: federal assistance.

This measure would memorialize the President and the Congress of the United States to undertake all acts necessary to restore funding of forest fire prevention and suppression programs under the Clarke-McNary Act to their prior levels.

Res. Ch. 51 (SCR 94) Presley. Memorial to peace officers

This resolution resolves that the Legislature shall cause to be erected a monument on the grounds of the State Capitol, with specified inscriptions, to honor California peace officers who are slain in the line of duty

Res. Ch. 52 (SCR 83) Whetmore. Bicentennial marker: placement in state building

By this measure the Legislature would consent to the placement in a state building in Sacramento of a marker by the American Revolution Bicentennial Commission of California honoring the participation and activities of the state and the commission in the commemoration of the Bicentennial and would request the Director of General Services to assist the commission in placing the marker.

Res. Ch. 53 (SCA 40) Greene. Usury

Presently the Constitution limits the rate of interest which may be charged by nonexempt lenders on any loan or forbearance of money, goods or things in action to not more than 10 percent per annum.

This proposed amendment would provide that the maximum contract rate of interest collectible by a nonexempt lender for loans, forbearances of money, goods or things in action for personal, family or household purposes shall be 10 percent. For any loan or forbearance of any money, goods or things in action for any other use, the interest rate shall be the higher of 10 percent per annum or 7 percent per annum plus the rate prevailing on the 25th day of the month preceding the earlier of (i) the date of execution of the contract to make the loan or forbearance, or (ii) the date of making the loan or forbearance established by the Federal Reserve Bank of San Francisco, on advances to member banks or the closest counterpart of such rate designated by the Superintendent of Banks.

Res. Ch. 54 (SJR 32) Rains. Los Padres National Forest. mining.

This measure would request the President of the United States and the Congress to take prescribed action with respect to strip mining and open-pit mining, including nullifying a specific proposal to authorize such mining, in the Los Padres National Forest

Res. Ch. 55 (ACA 75) Lockyer. Legislation: consideration by Governor

(1) The Constitution presently provides that a bill passed by the Legislature and presented to the Governor that is not returned within 12 days becomes a statute with a specified exception for certain bills passed by the Legislature and presented to the Governor during the second calendar year of the biennium of a legislative session and that if the Legislature by adjournment of a special session prevents the return of a bill by the Governor, the bill becomes a statute unless, within 12 days, the Governor vetoes the bill by depositing it and the veto message with the Secretary of State

This measure would, with respect to bills passed by the Legislature during the first calendar year of the biennium of a legislative session and presented to the Governor after the Legislature has adjourned for the interim study recess to reconvene in the second calendar year of the biennium of a legislative session, extend the period from 12 to 30 days before such bills become statutes if they are not returned

In addition, it would provide, with respect to such provisions, that if the 12th day of a period specified for consideration of a bill by the Governor is a Saturday, Sunday, or holiday, the period shall be extended to the next working day

(2) The Constitution presently provides that with certain specified exceptions, a statute enacted at a regular session goes into effect on January 1 next following a 90-day period from the date of enactment of the statute

This measure would exempt from such provisions statutes enacted pursuant to specified provisions of the law relating to the presentation of bills passed by the Legislature during the first calendar year of the biennium of a legislative session and presented to the Governor after the Legislature has adjourned for the interim study recess to recon-

vene in the second calendar year of the biennium of a legislative session, and would provide, with a specified exception, that statutes enacted pursuant to such provisions become effective on January 1 next following their enactment

(3) The Constitution presently provides that with respect to the referendum process, a referendum measure may be proposed by presenting to the Secretary of State, within 90 days after the enactment date of a statute, a petition certified to have been signed by a specified number of electors asking that the statute or part of it be submitted to the electors

This measure would provide that with respect to statutes enacted pursuant to specified provisions of the law relating to the presentation of bills passed by the Legislature during the first calendar year of the biennium of a legislative session and presented to the Governor after the Legislature was adjourned for the interim study recess to reconvene in the second calendar year of the biennium of a legislative session, a referendum measure must, with a specified exception, be presented to the Secretary of State before January 1 next following the enactment of the statute.

Res. Ch. 56 (ACA 96) Beverly. Commission on Judicial Qualifications.

The Constitution presently provides that on recommendation of the Commission on Judicial Qualifications, the Supreme Court may censure or remove a judge for willful misconduct in office, willful and persistent failure to perform his duties, habitual intemperance, or conduct prejudicial to the administration of justice. The Supreme Court may suspend a judge if he pleads no contest or is found guilty of a felony or a crime involving moral turpitude and the court must remove the judge when conviction becomes final.

This measure would rename the commission as the Commission on Judicial Performance and permit it to privately admonish a judge for an improper action or dereliction of duty, subject to Supreme Court review. It would further permit censure or removal of a judge where his persistent failure or inability to perform his duties was not willful. It would require a judge's habitual intemperance to be based on the use of intoxicants or drugs to constitute an alternative ground for censure or removal.

The measure would also provide that the censure, removal, or retirement of a judge of the Supreme Court shall be determined by a tribunal of 7 court of appeal judges selected by lot, instead of by the court itself.

Res. Ch. 57 (ACA 77) Greene. Counties. school superintendents—boards of education.

Under the existing California Constitution:

(1) County superintendents of schools of nonchartered counties are required to be elected; county charters may provide for the superintendents of schools of chartered counties to be elected or appointed; the Legislature may authorize (but has not enacted enabling legislation) 2 or more counties to unite and elect 1 county superintendent of schools for such counties.

(2) The Legislature is required to fix the salaries of county superintendents of schools of both nonchartered and chartered counties and, for these purposes, to classify the several counties in the state.

(3) County charters are authorized to provide for the election, among other things, of county boards of education.

(4) The Legislature is required to provide for county boards of education

(5) No provision is made for joint county boards of education.

This measure would

(a) Authorize in nonchartered counties, the election of, or the appointment by the county board of education of, the county superintendents of schools and require that the manner of such election be determined by a majority vote of the county electors voting on the question.

(b) Authorize any 2 or more chartered counties or nonchartered counties or any combination thereof, by a majority vote of the electors in each such county in a specified election, to establish 1 joint county board of education and a joint county superintendent of schools, which would be subject to the general laws and not to county charter provisions.

(c) Require that the salary of the county superintendent of schools of each chartered county and each nonchartered county be fixed by the county board of education.

Res. Ch. 58 (ACA 94) Lockyer. State officers: appointments to fill vacancies.

Existing provisions of the Constitution permit the Governor to fill a vacancy in office by appointment until a successor qualifies, unless provided otherwise by law

This measure would provide that a vacancy in the office of Superintendent of Public Instruction, Lieutenant Governor, Secretary of State, Controller, Treasurer, or Attorney General, or on the State Board of Equalization, is filled by appointment of the Governor for the balance of the unexpired term, and would require confirmation by a majority of the membership of both the Senate and Assembly with respect to appointments made by the Governor when filling a vacancy in such offices. It would also provide that in the event the nominee is neither confirmed nor refused confirmation by both the Senate and the Assembly within 90 days of the submission of the nomination, the nominee shall take office as if he or she had been confirmed by a majority of the Senate and Assembly; provided that if such 90-day period ends during a recess of the Legislature, the period shall be extended until the sixth day following the day on which the Legislature reconvenes.

Res. Ch. 59 (SCA 46) Holden. Local government: taxation.

The existing California Constitution does not require voter approval before local governments may impose taxes.

This measure would prohibit any local government formed after the effective date of this measure, the boundaries of which include all or portions of two or more counties, from imposing a property tax unless such tax has been approved by a majority vote of the voters of the local government voting on the tax issue.

Res. Ch. 60 (SCA 53) Holmdahl. Property tax rates: unsecured property.

The existing Constitution provides that taxes on property on the unsecured roll shall be levied at the rates for the preceding tax year upon property of the same kind on the secured roll.

This measure would provide that, in any year in which the assessment ratio is changed, the Legislature shall adjust the rate on unsecured property to maintain equality between property on the secured and unsecured rolls.

Res. Ch. 61 (SCA 45) Smith. State loans: residential insulation and solar energy.

Nothing in the State Constitution expressly empowers the Legislature to provide for a program of state loans for financing installation of energy insulation or solar heating or cooling in residential structures. Section 6 of Article XVI of the State Constitution generally prohibits the Legislature from giving or binding the credit of the state in aid of any person, association, or municipal or other corporation and generally prohibits the Legislature from making or authorizing the making of any gift of public money to any individual or municipal or other corporation.

This measure would expressly authorize the Legislature to provide for a program of state loans for financing installation of energy insulation or solar heating or cooling systems in residential structures, and would provide that the loans may bear interest at less than prevailing market rates.

Res. Ch. 62 (AJR 77) Mori. Iva Toguri d'Aquino.

By this measure the Legislature of the State of California would memorialize the President of the United States to give a full and unconditional Presidential Pardon to Iva Toguri d'Aquino, who may have been unjustly accused, tried, and convicted for treason as a mythical "Tokyo Rose," to redeem her name and to restore her American citizenship.

Res. Ch. 63 (ACR 133) Montoya. Legislation impact on jobs.

This measure would authorize any author or committee to request a job impact report on proposed legislation and would require the Legislative Analyst, when directed by the Rules Committee of the house where the request originated, to prepare a report containing specified information with respect to the probable impact that a bill would have on jobs in the State of California.

In addition, this bill would require the Rules Committee of each house, subject to certain conditions, to determine which bills should be assigned to the Legislative Analyst for a job impact report and would authorize the Rules Committee of each house to

provide funds, when necessary, to offset added costs incurred by the Legislative Analyst

This bill would also require, with respect to those bills which are assigned to the Legislative Analyst for a job impact report, that the Legislative Counsel's digest make provision for the addition of a statement indicating that the bill has been assigned to the Legislative Analyst for a job impact report.

Res. Ch. 64 (ACR 141) MacDonald. State Personnel Board salary surveys. inclusion of additional data.

This measure would request the State Personnel Board, in connection with conducting salary surveys for the purpose of establishing or changing salary ranges for state employees, to consider surveying additional counties outside the major metropolitan areas and to consider the inclusion of employers of less than 50 employees in such surveys.

Res. Ch. 65 (ACR 182) Bane. State financing.

This measure would direct the Assembly Office of Research to conduct a study of state financing for various types of property for use by state agencies, departments, and divisions.

Res. Ch. 66 (ACR 190) Cullen. Reapportionment: tabulation of population.

Directs the Joint Rules Committee to prepare and submit to the United States Secretary of Commerce a plan for the tabulation of population for purposes of legislative apportionment as authorized by recent amendments to federal law

Res. Ch. 67 (ACR 225) McCarthy. Alfred Siegler

Expresses the sympathies of the members upon the death of the Honorable Alfred C Siegler, and memorializes his personal and professional achievements in service to his fellow citizens.

Res. Ch. 68 (ACR 210) Cullen. Joint Legislative Audit Committee. appropriation.

This measure would make \$1,700,000 available from the Contingent Funds of the Assembly and Senate for expenses of the Joint Legislative Audit Committee

Res. Ch. 69 (SJR 43) Ayala. A proposed international exposition in California

This measure would state that the Legislature endorses the proposal and supports all efforts to hold an international exposition in 1981 at the Ontario Motor Speedway, Ontario, California. Also, pursuant to this measure, the Legislature would memorialize the President and the Congress of the United States to take any necessary action to implement the holding of such an exposition

Res. Ch. 70 (SCR 98) Grunsky. Joint Legislative Budget Committee.

This measure would amend Joint Rule 10.5 to require that a bill which assigns a study to the Joint Legislative Budget Committee or to the Legislative Analyst be rereferred to the respective Rules Committee. Before the committee could act upon such bill, it would be required to obtain from the Joint Legislative Budget Committee an estimate of the amount required to be expended by the study

Res. Ch. 71 (ACR 106) Chimbole. Interstate 10.

This measure would direct the Department of Transportation to designate Interstate 10 in California as the "Christopher Columbus Transcontinental Highway," to place suitable markers along the California route to call attention to the new name, and to advise the Federal Highway Administration of such action taken by the State of California. Copies of this resolution would be transmitted to the legislatures of the other states along the route of the transcontinental highway with a request that they take similar action

Res. Ch. 72 (ACR 154) Gualco. Arts Council.

This measure would request the Governor to require the executive or principal office of the Arts Council to remain in Sacramento County and to permit the council to establish secondary offices in other locations within the state as may be needed

Res. Ch. 73 (ACR 156) Lancaster Youth delinquency prevention services' grant money.

The measure requests the Secretary of the Health and Welfare Agency to have prepared, within 1 year after the date this measure is filed with the Secretary of State, an inventory of the grant money made available from sources such as the federal government and the state to youth delinquency prevention services, and it requests that the inventory indicate the sources of such grant money, the total amount of grant money available from each of such sources, and the amount and source of such grant money being used by each youth service program.

Res. Ch. 74 (ACR 211) Antonovich Joint Rules.

This measure would adopt a joint rule for the 1975-76 Regular Session which would require, upon assignment by the Rules Committee of either house, the Legislative Analyst to prepare citizen cost and job impact analyses on proposed legislation and furnish such information to the committee of each house of the Legislature designated by the Rules Committee.

The bill would also require the Legislative Analyst to submit periodic reports to the Legislature on the state's economy, including recommendations.

Res. Ch. 75 (AJR 39) Wornum. Whales.

The measure would, among other things, memorialize the President and Congress of the United States to support a proposal for a 10-year moratorium on the taking of whales, to present such proposal to the International Whaling Commission, and to support congressional resolutions which would grant the President further powers to embargo products of countries engaged in commercial whaling.

Res. Ch. 76 (SCR 92) Zenovich. Community mental health services.

Requests each county receiving Short-Doyle funding, and the Director of Health to comply with the requirements of Section 5600.1 of the Welfare and Institutions Code and requests the director to insure that the annual county Short-Doyle plans are in compliance.

Res. Ch. 77 (SJR 41) Cusanovich. Welfare.

This resolution memorializes the President and Congress of the United States to make such changes in the laws and regulations as are necessary to simplify the eligibility procedure for the Aid to Families with Dependent Children Program, the Medi-Cal Act, and the Food Stamp Program.

Res. Ch. 78 (ACR 85) Foran. Vandalism.

This measure requests the Department of the Youth Authority to conduct a study of areas which have experienced high rates of vandalism in order to determine its causes, and to make a progress report thereon and recommendations with respect to a pilot program to reduce the incidence of vandalism to the Legislature not later than October 1, 1977.

Res. Ch. 79 (ACR 142) Priolo. Route 1: speed limits.

This measure would request the Department of Transportation to post a 40 mph speed limit for specified trucks on the portion of Route 1 in the County of Los Angeles between Chautauqua Blvd. and Malibu Canyon Road that is presently posted with a 45 mph speed limit for all vehicles

Res. Ch. 80 (AJR 59) Alatorre. Bracero Program.

Memorializes the U.S. Congress to oppose the reimposition of a bracero program.

Res. Ch. 81 (ACR 143) Vicencia. Pooling plan; fluid milk: changes

This measure would request the Director of Food and Agriculture to adopt a procedure showing any changes made in any amended pooling plan for fluid milk by requiring that the amended plan approved by the director be accompanied by an attachment showing the new matter by underline and any omitted matter by "strikeout" type.

Res. Ch. 82 (AJR 63) Keysor. Veterans: military honors at funerals.

This measure would memorialize Congress to enact legislation giving veterans the right to military honors at funerals, with the honor detail furnished by the nearest military installation.

Res. Ch. 83 (ACR 159) Suitt. Solar energy: Palm Desert Middle School.

This measure would request the State Energy Resources Conservation and Development Commission, upon approval of a grant from the Energy Research and Development Administration, to provide funding necessary to begin construction of a solar energy heating and cooling system for the Palm Desert Middle School.

Res. Ch. 84 (ACR 165) Mobley. Water conservation: state agencies.

This measure would request all state agencies to review their programs and activities to determine where feasible water conservation practices can be adopted and to adopt such practices at the earliest time practicable. The measure would also request the Department of Water Resources to confer and advise with other state agencies on water conservation practices and to make recommendations on such subject.

Res. Ch. 85 (ACR 93) Cline. State Highway Route 126. City of Fillmore.

This measure would request the California Highway Commission to allocate the necessary funds so that the Department of Transportation may construct a right-turn deceleration lane for eastbound traffic on State Highway Route 126 at the entry point to the El Dorado Mobile Home Estates in the City of Fillmore, and would request that the existing left-turn pocket at the entry point for westbound traffic be retained.

Res. Ch. 86 (ACR 177) Burke. State Highway Route 55

Presently, State Highway Route 55 is designated the Newport Freeway.

This measure would redesignate that portion of Route 55 from Route 91 to the southern boundary of the City of Costa Mesa as the Costa Mesa Freeway.

Res. Ch. 87 (AJR 57) William Thomas. Voting Rights Act of 1965

This measure would memorialize the Congress of the United States to adopt appropriate amendments to the Voting Rights Act of 1965 exempting the State of California and its political subdivisions from the absolute requirement that election materials be provided in other than the English language, so that bilingual election materials may be provided by the Secretary of State or county clerk upon request.

Res. Ch. 88 (AJR 66) Ingalls. Public utilities.

This measure would memorialize the Congress of the United States to give urgent consideration to amending the Federal Power Act to provide that no wholesale rate increases become effective until hearings have been completed and a final order issued by the Federal Power Commission upholding the lawfulness of all or a portion of any such increase.

Res. Ch. 89 (AJR 76) MacDonald. Federal employee pensions.

This measure would memorialize the President and the Congress of the United States to repeal the provisions of federal law which provide for retired federal employees to have their pensions annually adjusted by an additional 1% above the increase in cost of living and to rebate the savings to the states as a special revenue-sharing program for state and local public employee retirement cost-of-living adjustments.

Res. Ch. 90 (ACR 121) McCarthy. Edwin L. Z'berg-Sugar Pine Point State Park

This measure would request the State Park and Recreation Commission to rename the Sugar Pine Point State Park, the Edwin L. Z'berg-Sugar Pine Point State Park and erect a suitable plaque at the entrance thereof.

Res. Ch. 91 (AJR 72) Mori. Veterans

This measure would request the Congress of the United States to enact legislation removing the time limitation and allowing veterans to utilize all of their educational benefits

Res Ch. 92 (AJR 34) Chimbole. Hughes Flying Boat.

This measure would request the Federal General Services Administration, the Smithsonian Institute, the executor or administrator of the estate of Howard R. Hughes, when such person is appointed, and the Summa Corporation to take whatever actions are needed to permit public viewing of the Hughes Flying Boat before it is dismantled.

This measure would request the Department of Parks and Recreation and the Department of Transportation to negotiate with such entities and the City of Long Beach to determine the feasibility for such a public viewing.

Res Ch. 93 (SCR 72) Nejedly. San Joaquin Valley drainage

Existing law provides for a master drainage facility in the San Joaquin Valley to remove agricultural waste water.

This measure would request the Department of Water Resources to review the alternatives to the discharge into the Sacramento-San Joaquin Delta of drainage waters from the proposed master drainage facility in the San Joaquin Valley, emphasizing maximum use and reuse of all the valley waters before being discharged from the valley and report its findings and recommendations to the Governor and the Legislature on or before September 30, 1978.

Res. Ch. 94 (SCR 73) Nejedly. Sacramento-San Joaquin River Delta facilities

Existing law provides for construction of certain facilities in the Sacramento-San Joaquin Delta as component parts of the State Water Project and the Central Valley Project.

This measure would require the Department of Water Resources to review the policy and technical matters pertaining to the construction of such facilities prior to proceeding with their construction and report the findings and recommend actions to the Governor and the Legislature on or before July 1, 1977.

Res Ch. 95 (SCR 80) Holden. State Highway Route 105.

This measure would request the California Highway Commission and the Department of Transportation to let contracts for the construction of the eight-lane Century Freeway (State Highway Route 105) with a transitway in the median immediately upon final adjudication of the lawsuit regarding the environmental impact statement prepared for the freeway.

Res. Ch. 96 (SCR 82) Holmdahl. Public entities contracts

This measure would request the Commission on California State Government Organization and Economy to conduct a specified study with respect to contracts between the state and local public entities and private organizations for the performance of government programs.

In addition this measure would request the commission to make specific recommendations for legislative and executive action to the Legislature in a preliminary report and to make a final report on or before December 31, 1977.

Res Ch. 97 (SCR 110) Zenovich. Frank Ray.

Commends Mr. Frank E. "Ed" Ray for his valiant efforts and heroism in connection with the abduction of 26 Chowchilla schoolchildren on July 15, 1976.

Res. Ch. 98 (SJR 60) Behr. Fisheries council regional office

This measure would memorialize the Secretary of Commerce to establish the regional office of the Pacific Fisheries Management Council in Marin County.

Res Ch. 99 (ACR 120) Thurman. Dutch elm disease eradication by the Department of Food and Agriculture

This measure would request the Department of Food and Agriculture to assist local governmental agencies in the eradication of Dutch elm disease in California.

Res. Ch. 100 (ACR 196) Lanterman. Disabled persons: study

This measure would request the Department of Rehabilitation, with the participation and assistance of various other specified state departments and agencies, to study the feasibility and desirability of a comprehensive needs population survey of California's disabled population

Res. Ch. 101 (AJR 62) Thurman. Abandoned airplane wrecks.

This measure would memorialize the Congress to prohibit the abandonment of airplane wrecks in California, and elsewhere in the nation, as it deems appropriate, except in exceptional circumstances where removal would endanger life.

Res. Ch. 102 (ACR 100) McVittie. Highways: freeway development real property therein

This measure would request the State Board of Equalization to undertake a review of the methods used by county assessors in determining the assessed value of real property located within, but not yet acquired for, future freeway development, and to submit its findings and recommendations to the Legislature not later than the first Monday in February, 1977

Res. Ch. 103 (AJR 51) Thurman. Packers and Stockyards Act of 1921.

The Packers and Stockyards Act of 1921 provides for the regulation of packers and stockyards activities, and provides for sanctions of suspension of operation or fine for violating some provisions of the act or only suspension of operations for violating certain other provisions of the act.

This measure would memorialize the President and the Congress to take all the necessary actions to modify such act to provide for the imposition of fines as an alternative sanction to suspension of any operation for violating any provision of the act.

Res. Ch. 104 (AJR 67) Vasconcellos. Student financial aid.

This resolution would request the Congress and the Department of Health, Education, and Welfare to adopt the draft prototype form developed by the National Task Force on Student Financial Aid Problems.

This resolution would also request the department and the Office of Education to make changes in the federal appropriations schedules and their administrative procedures to permit early processing of basic grant applications.

Res. Ch. 105 (ACR 169) Gualco. Data collection

This measure would request the State Office of Planning and Research, in cooperation with the Forms Management Center of the Department of General Services, to study the forms used by state social agencies and certain private agencies providing social services to make required reports of their services and programs to the state in order to determine the feasibility of establishing a common format for reporting to facilitate the establishment of a pool of social information to be used by local governments for specified purposes.

Res. Ch. 106 (ACR 74) Deddeh. In-service training of educators

Under existing law, on and after July 1, 1974, each school with a substantial population of students of diverse ethnic backgrounds is required to provide an in-service preparation program to prepare educators to understand and effectively relate to the history, culture, and current problems of these students and their environments

This measure would request school districts to utilize available resources for the in-service education of their staffs to relate to the history, culture, and current problems of their students of diverse ethnic backgrounds and their environments.

In addition, this measure would request the State Department of Education to review the implementation of the in-service education, to analyze the problems of such education, and to report to the Legislature no later than January of 1977 with recommendation on the progress of school districts providing such in-service education and any desirable legislative changes.

Res. Ch 107 (ACR 162) Fazio. Suisun Marsh.

This measure would request the Department of Water Resources to investigate and report on the water requirements of the Suisun Marsh necessary to preserve its existing waterfowl habitat and, if possible, to enhance it, to identify sources of water to meet such requirements, to define and evaluate alternative methods of water delivery, distribution, and management, to identify costs of such alternative methods, and to recommend methods of financing and methods of repayment of the costs of those facilities.

The measure would also direct the department to affirm to the Legislature its commitment to initiate and participate in the implementation of those measures necessary to protect and enhance the waterfowl habitat of the Suisun Marsh, to also indicate the degree of its participation and the means by which it intends to participate, and to report the status of such studies and the program periodically to the Legislature and to make a final report no later than January 15, 1979, including its estimates of the costs.

Res. Ch. 108 (SCR 108) Wedworth. Schoolbus safety: brake system.

This measure would urge each school district in this state to install, in every schoolbus owned by the district, a fail-safe brake system which operates in addition to the standard brake system

Res Ch 109 (ACR 167) Mori. Disabled persons. parking spaces.

Existing law authorizes a local authority and a person in possession of an off-street parking facility to designate stalls or spaces for the exclusive use of disabled persons with distinguishing license plates or disabled veterans

This measure would urge and encourage local authorities to enact, and vigorously enforce, appropriate regulations to designate parking spaces for disabled persons in accordance with the Vehicle Code.

Res Ch. 110 (AJR 74) Berman Santa Monica Mountains and seashore.

This measure would memorialize the Congress, requesting creation of a program for comprehensive planning, including an urban park and recreation area, in the Santa Monica Mountains and seashore that reflects the significance of that area to the residents of the region and the nation as a whole and involves the cooperative effort of federal, state, and local governments.

Res. Ch. 111 (SCR 71) Wedworth Nursing homes.

This measure would direct the State Department of Health to take certain action in protecting and caring for elderly persons in nursing homes and to conduct a study of nursing homes and nursing home care.

Res. Ch. 112 (SCR 75) Stiern. U.C.. medical malpractice cases and insurance premiums

This measure would request the Regents of the University of California to report annually to the Legislature specified statistics concerning professional liability cases filed against the University of California hospitals and medical insurance premiums paid

Res. Ch. 113 (SCR 88) Ayala Statewide dairy inspection system

This measure would request the Director of Food and Agriculture to conduct a study of the desirability for the implementation of a statewide dairy inspection system, and the alternatives thereto, to meet and confer with representatives of the dairy industry, city and county health officials, and other interested segments of the public, and to report his findings and recommendations regarding such statewide dairy inspection system to the Legislature no later than February 1, 1977

Res Ch. 114 (SCR 104) Robbins Building permits: information and verification forms

This measure would request the building and safety department of each city, county, and city and county to provide each owner-builder applicant for a building permit for property improvements with a specified information form and to recommend obtaining a signed verification form from each such applicant.

Res. Ch 115 (SCR 109) Holmdahl. Joint Committee on the State's Economy

This measure would continue the existence of the Joint Committee on the State's Economy through August 31, 1977.

Res. Ch 116 (SJR 49) Collier. Forest lands: national policy.

This measure would memorialize the Congress of the United States to develop a national policy for the management of federally owned forests and related forest resources

Res. Ch. 117 (ACR 144) Hughes. Consumer affairs: food delivery systems

This measure would require the Director of Consumer Affairs, with the cooperation of such other departments of state government as he finds appropriate, to examine the retail food delivery systems in low-income neighborhoods, and to report his findings and suggestions to the Legislature no later than the first legislative day of 1977.

Res. Ch. 118 (ACR 241) Ralph. Joint Rules, conference committees.

Joint Rule 29.5 presently provides that notice of each public meeting of a conference committee, other than on the Budget Bill, shall be published in the file of each house two working days prior to the meeting

This measure would amend the rule to require such notice to be published in the file of each house one calendar day prior to the meeting

Res. Ch 119 (ACR 135) Knox. Environmental quality

This measure would request the Secretary of the Resources Agency to amend and rewrite the Guidelines for the Implementation of the Environmental Quality Act of 1970 so that they indicate (1) the manner in which a "master environmental assessment" may be prepared that will inventory and list significant environmental characteristics of an area, (2) the manner in which such master environmental assessment may be certified as adequate, (3) the manner in which the master environmental assessment shall be used to determine public policy with respect to preservation of such environmental characteristics, and (4) the manner in which such public policy is to be carried out and implemented by each local agency having jurisdiction within the area in question. The measure also requests the secretary to amend such guidelines by January 1, 1977, so that they clearly indicate the manner in which local governments should identify, evaluate, and seek to mitigate adverse environmental impacts of specific projects which are areawide in nature and consequently beyond the statutory jurisdiction of individual governments, or to report to the Legislature by January 1, 1977, if it is determined not possible or practicable to so amend the guidelines

Res. Ch. 120 (AJR 53) Egeland. Barriers to physically handicapped

This measure would memorialize the President and Congress of the United States to take legislative action to appropriate the necessary funds to aid California's public postsecondary campuses to remove the architectural barriers that obstruct the mobility and functioning of disabled persons attempting to utilize existing public postsecondary educational buildings and campuses

Res. Ch. 121 (SCR 99) Alquist. Water flow standards.

This measure would request the Public Utilities Commission to conduct a study regarding methods public utility water suppliers can use to finance upgrading of presently deficient water mains in older neighborhoods for fire protection and report thereon to the Legislature by June 1, 1977

Res. Ch 122 (SCR 107) Ayala. Telegraph corporations

Existing law does not require the Public Utilities Commission to require telegraph corporations to require identification of persons requesting a telegram. This measure would direct the commission to study such a requirement.

Res. Ch 123 (SJR 53) Berryhill. Mineral resources

This measure would memorialize the United States Geological Survey, the United States Bureau of Mines, and the California Division of Mines and Geology to intensify their efforts to catalog those mineral resources of critical importance to the future

economy of California that are within, and adjacent to, urban areas.

The measure would also request local governments to protect such critical mineral resources, access thereto, and the mining thereof within their jurisdictions by special zoning, and to require mine operators to conduct operations as compatibly as practicable with their surroundings and to rehabilitate depleted mined lands for subsequent beneficial use such as parks, open space, or urban development. The measure requests the Division of Mines and Geology to make demand projections for the critical mineral commodities used in California, so that local governments are aware of their future mineral resource requirements and may plan better for the use of the deposits available to them.

Res. Ch. 124 (SCR 37) Nejedly. Geothermal steam: regulation of rates of charge.

This measure would request the State Energy Resources Conservation and Development Commission to study whether the Public Utilities Commission should be authorized to regulate the rates of geothermal steam at the wellhead and to report its recommendation to the Legislature no later than 6 months after adoption of this resolution.

Res. Ch. 125 (SCR 106) Mills. Conflict of interest code: Legislature.

Adopts a conflict of interest code for the officers and employees of the Legislature.

Res. Ch. 126 (SCR 112) Cusanovich. Tom Carrell Memorial Park.

This measure would memorialize the late Senator Tom Carrell on the occasion of the dedication of Tom Carrell Memorial Park by the City of San Fernando.

Res. Ch. 127 (ACR 157) Lewis. California State College, San Bernardino; student health center

This measure would authorize California State College, San Bernardino, to construct and improve a student health center

Res. Ch. 128 (ACR 194) Gualco. State employee merit awards.

This measure would authorize the payment of specified additional merit awards approved by the State Board of Control to named state employees.

Res. Ch. 129 (AJR 60) Suitt. Exchange of state and federal lands.

This measure would memorialize the President and the Congress of the United States to enact legislation which would mandate the immediate satisfaction of California's school land entitlement and which would grant this state first priority of classification of national resource lands for this purpose and for the purpose of land exchanges. The measure would also request the California State Lands Commission to cooperate fully in the drafting, enactment, and implementation of such legislation.

Res. Ch. 130 (SCR 62) Robbins. Hollywood-Burbank Airport: aircraft noise.

This measure would request the City of Los Angeles and the Department of Transportation of this state, together with any joint powers authority formed for the purpose of operating the Hollywood-Burbank Airport, to conduct a study of runway usage by jet aircraft at Hollywood-Burbank Airport to minimize the effects of aircraft noise on the surrounding communities with noise-monitoring equipment furnished by the Department of Transportation, and would request the operator of the airport and the Federal Aviation Administration to take all possible measures, including modification of aircraft and airport facilities and assignment of preferential runways for jet aircraft which will result in the least possible exposure of San Fernando Valley residents to jet aircraft noise.

Res. Ch. 131 (SCR 81) Robbins. Flammability standards of children's clothing.

This measure would request the State Fire Marshal to conduct a study of the availability, cost, and effectiveness of flame-resistant fabrics suitable for use in children's clothing and the clothing made from such fabrics, to provide information for the printing of consumer guidelines on the selection and use, including care and treatment, of flame-resistant fabrics and garments, and to report the results of such study to the Legislature on or before December 31, 1976.

The measure would also direct the Department of Consumer Affairs to make available such consumer guidelines to the public

Res. Ch 132 (SJR 58) Russell. Social security

Memorializes the President and Congress of the United States to take such action as is necessary to repeal the social security "earnings limitation."

Res. Ch. 133 (SJR 59) Russell. Federal excise tax: motor vehicle fuel.

This measure would memorialize the President and the Congress of the United States to enact legislation to authorize a reduction in the rate that the federal excise tax is imposed on motor vehicle fuel in California if it would enact legislation (a) to increase its motor vehicle fuel tax rate in an amount equal to the reduction and (b) to use that increase in its tax revenues for state highway projects included in the California Department of Transportation priority list, as of May 1, 1976, (1) to make state highways safer, (2) to make state highway route segments usable, (3) to close gaps of the planned state highway system, or (4) that constitute an integral part of community development or redevelopment projects.

Res Ch. 134 (SJR 61) Petris. Nuclear proliferation

This measure would memorialize Congress to support all efforts to bring nuclear weapons under control, reduce their numbers, and stop their spread.

Res Ch 135 (SJR 62) Garcia. Mexican jails. American citizens.

Requests President of the United States to propose to President of Mexico the creation of a bilateral commission on the treatment and possible release of American citizens in Mexican jails.

Res. Ch. 136 (SJR 63) Garcia. Status of immigrants.

This measure would memorialize the Congress of the United States to amend the Immigration and Nationality Act to provide for the United States Attorney General to adjust the status of any undocumented immigrant to that of a person lawfully admitted for permanent residence under specified circumstances.

Res Ch 137 (ACR 140) Goggin. Cajon Pass: historic place designation.

This measure would request the State Historical Resources Commission and the Director of Parks and Recreation to give prompt and favorable consideration to the application for the inclusion of the area surrounding the Cajon Pass in the County of San Bernardino in the National Register of Historic Places as a historic district.

Res. Ch 138 (ACR 152) Chacon. Commission for Teacher Preparation and Licensing

Requests the Commission for Teacher Preparation and Licensing to conduct a study to assess the extent of training and preparation provided to certificated personnel to remedy ethnic and sexual stereotyping and to provide the Legislature with recommended alternatives with regard thereto, and report thereon to the Joint Legislative Budget Committee by January 3, 1977

Res. Ch. 139 (ACR 163) Egeland. Staffing levels at the state hospitals.

This measure would request the State Department of Health to submit a prescribed report to the Legislature, within 60 days after adoption of this measure, concerning staffing levels at the state hospitals.

Res Ch. 140 (ACR 184) Egeland. Free clinics.

This resolution would request that the State Department of Health, the Department of Benefit Payments, and the Department of Insurance, jointly arrange meetings with representatives of free clinics to provide a forum on specified issues relating to free clinics

Res. Ch. 141 (ACR 198) Egeland. School tax revenue bases.

This measure would request the Legislative Analyst, with the cooperation of the Assembly Office of Research and the Senate Office of Research, to determine the feasibility and fiscal impact upon individuals, banks, corporations and school districts of shifting the tax base for school funding revenues from the property tax base to alternative tax bases, and to report the findings of such study to the Legislature.

Res. Ch. 142 (ACR 206) Lanterman Handicapped adults: educational programs.

Existing law provides for various types of educational and training programs to be provided for handicapped individuals.

This measure declares that such programs have economic and social value, and states the Legislature's intent that educational and vocational training opportunities for handicapped persons continue to be offered, and requests the Department of Finance to continue the state funding of the costs of instruction and instructionally related administrative services of sheltered workshops and activity centers pending a review thereof.

Res. Ch. 143 (ACR 208) Bane. State retirement systems: securities.

This measure would direct the Public Employees' Retirement System and the State Teachers' Retirement System to examine and report on valuation of security procedures proposed by SB 388 of the 1975-76 Regular Session

Res. Ch. 144 (ACR 216) Antonovich Commission on Teacher Preparation and Licensing.

Requests Commission for Teacher Preparation and Licensing to (1) either remove history and government from those subjects included in the social science single-subject credential or amend the scope and content statement for the social sciences to include concepts and data drawn from history and American government so as to approximate the present balance among history, government, and the other social sciences in the current instructional load of California secondary schools, and (2) report its plans with regard to such credentials to the Legislature not later than the 5th legislative day of the 1977-78 Regular Session of the Legislature.

Res. Ch. 145 (ACR 222) Wilson. California Industries for the Blind Work Force.

Existing law authorizes the Director of the Department of Rehabilitation to declare any real or personal property of the California Industries for the Blind Program as surplus property and authorized the Department of General Services to transfer such property in trust to a nonprofit corporation to effect employment of blind and other handicapped persons.

This resolution would resolve that the Department of Rehabilitation undertake a study of alternatives to the employment of blind persons in nonprofit manufacturing centers such as those operated by California Industries for the Blind, develop a comprehensive catalogue of occupational skills which can be performed by blind persons, and that the department transmit its findings and recommendations on such alternatives and the blind occupational skills catalogue to the Legislature by January 1, 1977.

Res. Ch. 146 (ACR 229) Suitt. Joint Committee to Oversee the Agricultural Labor Relations Board.

This measure would create the Joint Committee to Oversee the Agricultural Labor Relations Board and provide for its membership, powers, and duties relative to the Agricultural Labor Relations Board

Res. Ch. 147 (ACR 239) McVittie. Eugene Nisbet
Memorializes the late Senator Eugene G. Nisbet.

Res. Ch. 148 (ACR 240) Chimbole Solar energy.
Urges siting of a specified solar thermal pilot plant in California.

Res. Ch. 149 (SCR 84) Greene. Flexible-time employment.

This measure would memorialize the Governor to implement the objectives expressed in AB 914 of the 1975-76 Regular Session which was passed by the Legislature and vetoed by the Governor

Res. Ch. 150 (SCR 111) Zenovich. Alarm devices

Directs a task force, coordinated by the California Highway Patrol, consisting of members of the California Highway Patrol, the California Department of Justice, and the California Department of Education, working cooperatively with public and private agencies and all concerned school districts and law enforcement agencies, to study the feasibility of installing emergency signaling devices in schoolbuses Directs the task force

to specifically investigate both sonic and electronic devices. Requires the task force to report its findings and recommendations to the Legislature no later than January 30, 1977.

Res. Ch. 151 (ACR 171) Vasconcellos. Public higher education.

Requests Trustees of California State University and Colleges to report to the Legislature the names of all persons discharged for refusing to sign the so-called "Levering" loyalty oath, their current employment situation, and whether they desire to be reinstated. It also requests the trustees to reinstate persons so desiring.

Res. Ch. 152 (ACR 176) McVittie State Highway Route 30.

This measure would request the Department of Transportation to prepare plans and specifications for the construction of the portion of Foothill Freeway comprising State Highway Route 30 from Route 210 near the City of San Dimas to Route 194 near the City of San Bernardino.

Res. Ch. 153 (ACR 228) Keene. Luther Burbank Memorial Highway.

This measure requests the Department of Transportation to install appropriate signs, instead of historical markers, designating State Highway Route 12 between Santa Rosa and Sebastopol "The Luther Burbank Memorial Highway"

Res Ch. 154 (ACR 214) Arnett State Highways: Route 92.

This measure would request the California Highway Commission to budget for, and the Department of Transportation to commence with, the planning and design for the widening of State Highway Route 92 from Route 1 near Half Moon Bay to Route 280 so that construction of the widening of that portion of Route 92 can commence as soon as funds are available for such construction.

Res. Ch. 155 (ACR 230) Egeland. Auditor General's study of public services to mobilehome park residents.

This measure would have the Joint Legislative Audit Committee direct the Auditor General to study the costs of providing water, garbage collection, and sewage disposal services to residents of mobilehome parks and the actual charges made or approved therefor, and to report to the Legislature before March 31, 1977.

Res. Ch. 156 (ACR 202) Thurman. State Personnel Board: job specifications.

This measure would request the Public Employees' Retirement System, the State Personnel Board, and the Department of the California Highway Patrol to evaluate methods for establishing criteria to be used in the determination of disability retirement, appeals of medical termination, and requests for reinstatement of a member of the California Highway Patrol

Res. Ch. 157 (ACR 175) Perino. State Personnel Board. report on bilingual needs and capabilities of local offices of state agencies.

This measure would request each state agency having a local office to secure specified information with respect to the number of public contact positions in each local office, the number of bilingual employees and the languages spoken by each in such public contact positions, and the number and percentage of the general population of each limited-English-speaking group served by each such local office, and to report the information to the State Personnel Board which is requested to prepare an annual report containing the results of the surveys conducted pursuant to this measure to the Legislature.

Res Ch 158 (ACR 201) Egeland Public higher education

An existing resolution requests the governing authorities of various institutions of public higher education to prepare a plan providing for addressing and overcoming, by 1980, ethnic, sexual, and economic underrepresentation in the makeup of the student bodies of institutions of public higher education, and to submit such plan to the California Postsecondary Education Commission by July 1, 1975, and requests similar reports annually thereafter.

This resolution would request such governing authorities to prepare a similar plan for

handicapped students, as defined, and to submit such plan to the California Postsecondary Education Commission by July 1, 1977.

It would also request the California Postsecondary Education Commission to integrate and transmit such plans to the Legislature by the first legislative day of 1978.

Res. Ch. 159 (ACR 221) Chel State employee salaries

This measure would recommend the establishment of a tangible incentive program for state employees who have achieved the maximum of their salary range and would require the State Personnel Board to report alternative methods for the implementation of such a program to the Legislature by July 1, 1977

Res. Ch. 160 (ACR 170) McAlister Tort liability study.

This measure would create a Joint Legislative Committee on Tort Liability to study the need for revision of the law relating to tort liability and would also authorize the California Law Revision Commission to undertake a study of tort liability and related matters

CROSS-REFERENCE TABLES

BILL TO CHAPTER NUMBER

1976

1975-76 REGULAR SESSION

CROSS-REFERENCE TABLES

Bill to Chapter Number

ASSEMBLY BILLS

Assembly Bill	Chapter	Assembly Bill	Chapter	Assembly Bill	Chapter
52	115	1325	998	1904	467
58	90	1329	978	1908	678
77	275	1331	517	1916	429
82	276	1341	5	1919	104
163	1327	1361	1018	1923	1229
164	63	1383	12	1928	307
182	1016	1385	59	1930	41
205	598	1386	695	1938	430
219	82	1388	1019	1985	499
250	324	1391	1228	1996	60
270	516	1395	91	2021	518
282	99	1417	1357	2056	1274
301	465	1425	428	2070	42
341	666	1503	68	2116	1021
386	70	1511	339	2125	602
400	1440	1522	1190	2133	462
416	443	1530	1248	2159	657
434	4	1536	1173	2170	17
444	349	1538	6	2180	948
467	1017	1563	1424	2189	1110
484	25	1582	231	2205	289
523	881	1589	46	2210	603
550	536	1606	530	2211	362
746	1141	1628	360	2214	31
809	129	1635	1271	2222	658
841	655	1664	213	2224	327
848	677	1667	656	2238	214
859	171	1671	73	2244	604
877	77	1711	239	2250	83
962	305	1713	1272	2251	103
1000	39	1719	361	2254	639
1013	238	1747	130	2261	458
1016	78	1748	600	2262	64
1032	1109	1763	1020	2265	105
1043	1461	1788	1	2271	1403
1048	882	1805	1273	2279	32
1053	513	1810	1350	2285	157
1089	212	1823	601	2291	668
1125	599	1834	140	2292	285
1135	427	1837	306	2301	74
1159	1142	1843	177	2321	71
1227	118	1859	79	2325	84
1246	1333	1861	40	2329	350
1248	947	1872	49	2332	80
1258	176	1882	1358	2337	363
1261	20	1891	1436	2341	364
1320	667	1893	708	2342	21
1323	498	1898	1462	2346	993

Assembly Bill	Chapter	Assembly Bill	Chapter	Assembly Bill	Chapter
2352	113	2530	330	2678	279
2355	537	2543	1197	2679	1312
2356	33	2544	94	2687	111
2360	232	2545	53	2688	282
2361	7	2547	122	2691	286
2362	13	2548	520	2692	284
2363	281	2549	1399	2693	287
2371	431	2550	98	2697	156
2372	1022	2551	531	2698	1000
2374	432	2553	366	2702	669
2377	665	2554	178	2703	172
2378	50	2556	331	2709	471
2380	96	2557	36	2710	134
2381	92	2560	1143	2711	48
2383	244	2563	308	2713	472
2386	1394	2565	35	2715	547
2393	14	2569	123	2716	548
2397	1308	2570	241	2722	823
2403	434	2573	291	2723	135
2407	2	2576	283	2724	142
2409	102	2578	1351	2725	473
2410	106	2581	109	2728	522
2414	468	2582	994	2730	114
2415	47	2583	22	2731	724
2417	38	2584	351	2732	725
2418	65	2586	1310	2734	133
2424	519	2590	367	2738	605
2425	433	2595	110	2739	447
2428	43	2597	309	2740	670
2429	328	2599	469	2742	1001
2433	435	2600	9	2743	436
2434	85	2601	348	2744	44
2439	1309	2604	967	2746	824
2442	215	2605	659	2747	369
2445	949	2606	1275	2748	474
2446	8	2607	883	2749	1313
2450	1196	2610	586	2753	370
2457	640	2617	368	2754	189
2458	37	2618	660	2756	539
2466	538	2620	1023	2757	702
2468	51	2621	72	2759	1465
2470	459	2622	1463	2760	136
2471	1215	2623	769	2761	143
2472	141	2624	500	2765	461
2477	365	2625	1311	2766	671
2480	131	2627	164	2769	147
2481	999	2628	470	2774	587
2485	329	2629	280	2775	216
2487	52	2635	723	2779	165
2490	107	2638	233	2781	166
2498	18	2639	245	2782	950
2506	34	2641	242	2788	371
2508	108	2645	822	2789	1002
2509	101	2647	521	2790	991
2510	86	2653	159	2791	973
2513	93	2655	163	2794	217
2514	240	2668	1464	2795	124
2519	460	2676	1359	2796	549
2521	1430	2677	132	2798	173

Assembly Bill	Chapter	Assembly Bill	Chapter	Assembly Bill	Chapter
2799	340	2948	1331	3070	444
2803	825	2951	190	3071	481
2804	475	2954	951	3073	1317
2805	372	2956	1144	3080	1247
2806	726	2965	1466	3082	610
2807	61	2966	995	3083	553
2812	1089	2967	551	3087	174
2816	1111	2968	770	3088	219
2819	1024	2970	478	3089	1003
2820	194	2971	332	3093	380
2821	195	2972	1060	3096	1277
2822	196	2980	608	3098	887
2825	66	2985	262	3099	1145
2826	62	2986	1293	3100	1010
2828	67	2989	288	3101	1011
2831	1431	2990	277	3102	683
2832	866	2991	146	3104	642
2834	243	2994	703	3105	182
2836	1025	2995	502	3107	730
2837	137	2996	377	3110	611
2838	290	2997	333	3112	526
2842	928	2998	200	3113	439
2843	1116	2999	679	3114	1395
2844	1117	3004	451	3115	930
2846	179	3005	293	3119	1115
2848	681	3010	826	3121	1071
2849	641	3011	1199	3122	183
2851	278	3013	885	3125	855
2852	373	3014	378	3126	1467
2855	144	3015	479	3127	612
2859	197	3016	552	3128	888
2864	437	3017	379	3132	381
2868	301	3020	334	3138	234
2875	884	3021	728	3139	554
2880	1026	3023	524	3140	1137
2882	606	3024	729	3143	696
2887	1027	3025	525	3144	889
2893	607	3030	1012	3145	643
2895	145	3032	181	3146	345
2898	180	3033	540	3147	980
2899	550	3035	886	3149	981
2904	1276	3037	541	3153	890
2911	374	3041	682	3154	1400
2917	1230	3042	343	3156	588
2923	218	3045	929	3159	953
2925	476	3047	1028	3161	867
2926	375	3050	952	3164	644
2928	501	3053	201	3170	954
2929	1198	3054	480	3171	672
2931	1216	3055	438	3175	555
2932	523	3056	1316	3179	175
2933	1314	3059	344	3180	542
2934	661	3060	1439	3183	482
2937	1334	3061	335	3187	1318
2940	477	3062	662	3195	246
2943	727	3063	979	3196	220
2944	376	3064	609	3201	483
2945	690	3065	352	3211	184
2946	1315	3067	353	3212	198

Assembly Bill	Chapter	Assembly Bill	Chapter	Assembly Bill	Chapter
3213	199	3341	1030	3468	81
3215	256	3343	985	3471	1036
3217	484	3345	614	3477	1120
3218	202	3349	295	3480	1218
3220	503	3351	1150	3482	684
3223	1468	3353	1442	3483	590
3224	556	3354	486	3485	772
3225	1118	3357	853	3486	1219
3227	485	3358	645	3490	504
3229	1004	3361	445	3495	1121
3230	203	3365	1174	3496	1037
3234	1061	3367	1404	3500	310
3235	247	3368	705	3502	773
3236	440	3369	732	3503	257
3240	121	3370	615	3504	204
3241	1146	3371	1185	3505	384
3242	1469	3373	1471	3507	646
3243	1319	3378	955	3508	1382
3249	1029	3379	616	3509	1291
3252	452	3380	1175	3513	1322
3254	248	3382	771	3515	774
3258	891	3383	892	3517	1473
3259	663	3385	1007	3520	1294
3263	972	3386	685	3522	1201
3264	221	3387	1320	3523	775
3266	731	3389	828	3524	490
3267	382	3391	931	3527	311
3268	543	3392	1031	3528	527
3274	982	3396	1032	3530	1474
3276	354	3398	617	3534	258
3277	1428	3401	857	3535	544
3279	1005	3403	1321	3536	859
3280	1006	3404	1033	3537	294
3281	1112	3408	856	3538	1323
3282	1147	3412	1062	3539	1038
3283	441	3414	706	3541	1039
3286	747	3415	487	3544	1441
3289	222	3416	1200	3547	1151
3292	185	3419	618	3548	829
3293	512	3424	1008	3550	830
3298	983	3425	1063	3552	619
3300	1148	3426	1279	3553	261
3303	1119	3428	1245	3555	225
3310	223	3429	1472	3556	528
3312	1149	3430	707	3559	620
3313	463	3438	893	3561	347
3315	292	3439	956	3562	1040
3316	613	3441	1034	3563	968
3318	1278	3444	488	3566	385
3319	1470	3445	1425	3569	621
3320	249	3450	442	3571	733
3321	338	3451	1035	3572	591
3322	224	3454	957	3573	491
3325	1352	3456	1285	3575	1152
3326	697	3459	489	3578	1475
3328	383	3462	1217	3581	622
3338	302	3463	1410	3582	894
3339	984	3464	1009	3588	1476
3340	827	3467	1437	3590	958

Assembly Bill	Chapter	Assembly Bill	Chapter	Assembly Bill	Chapter
3592	686	3742	1047	3883	934
3595	1176	3743	1153	3884	557
3599	1177	3745	996	3885	1289
3603	1041	3747	1251	3889	738
3604	1178	3750	1384	3890	650
3606	1287	3752	1154	3893	1013
3610	1220	3753	492	3901	1324
3612	1191	3755	897	3902	689
3613	226	3758	1048	3904	387
3615	386	3760	1232	3906	1054
3618	734	3762	1363	3908	899
3619	1202	3764	1049	3912	1295
3620	1122	3767	251	3915	900
3623	1335	3770	505	3917	1235
3626	1042	3771	1221	3918	1412
3627	1356	3778	649	3919	1413
3632	589	3779	1050	3920	627
3633	1477	3781	1432	3926	898
3634	1043	3783	625	3927	651
3641	1203	3785	1204	3933	388
3645	1231	3790	986	3934	740
3646	1044	3791	780	3940	532
3647	959	3792	781	3944	628
3651	1249	3793	709	3945	235
3653	1045	3794	1222	3946	493
3655	250	3795	1051	3950	1123
3657	647	3796	1429	3953	1414
3658	1360	3797	626	3956	741
3664	932	3799	860	3962	303
3669	1478	3800	1364	3964	1233
3670	687	3801	1365	3973	1374
3672	1336	3802	1366	3974	737
3674	1337	3803	1367	3978	533
3676	1179	3804	1368	3979	935
3677	1479	3805	1369	3981	506
3678	1361	3806	1370	3984	1252
3683	1192	3807	1371	3999	833
3684	1155	3808	1372	4001	854
3689	1286	3809	1373	4007	742
3691	739	3829	782	4009	1055
3693	776	3830	1181	4013	1056
3694	1250	3831	1385	4018	1280
3696	777	3833	664	4020	1482
3697	895	3835	1052	4021	1408
3699	1046	3840	1486	4026	834
3701	933	3843	673	4027	987
3702	748	3844	1183	4028	1281
3704	960	3846	1438	4031	1064
3706	1362	3855	735	4032	835
3707	623	3856	736	4035	629
3710	831	3857	1053	4036	558
3712	778	3858	1405	4038	974
3715	624	3860	1223	4043	1224
3726	648	3867	464	4044	783
3730	779	3869	1480	4046	227
3731	832	3876	961	4047	236
3736	1180	3878	1481	4049	1090
3737	336	3881	1182	4052	901
3740	896	3882	688	4053	1065

Assembly Bill	Chapter	Assembly Bill	Chapter	Assembly Bill	Chapter
4057	836	4178	1433	4336	1105
4059	1225	4179	1434	4340	1485
4063	1091	4180	546	4347	847
4066	1092	4183	698	4351	1422
4071	1353	4190	937	4352	1423
4072	1288	4193	970	4354	1376
4073	1483	4195	1375	4355	940
4075	1093	4202	1435	4410	912
4079	837	4206	559	4411	848
4083	312	4211	631	4412	1255
4084	743	4214	632	4413	699
4085	1415	4218	745	4417	941
4086	902	4222	906	4419	1398
4089	1484	4223	1283	4423	913
4091	838	4229	845	4426	1107
4092	839	4230	1098	4429	1354
4093	1206	4232	391	4431	914
4094	997	4237	1099	4437	1416
4097	744	4239	1332	4439	1417
4098	652	4240	846	4440	393
4099	710	4242	1207	4444	801
4101	784	4247	1296	4446	394
4104	1396	4248	1284	4447	942
4106	389	4256	1157	4449	313
4108	903	4262	1100	4452	869
4109	988	4269	907	4453	975
4114	840	4271	908	4458	561
4119	841	4274	1158	4461	1113
4124	904	4278	1234	4462	1377
4125	390	4279	909	4465	529
4126	630	4282	746	4471	296
4127	1253	4284	1208	4472	849
4129	842	4285	1101	4473	1339
4130	1328	4288	494	4478	704
4131	905	4289	990	4480	562
4135	507	4295	1338	4485	563
4136	1094	4297	1159	4487	346
4137	1095	4299	910	4491	1487
4138	843	4303	911	4492	1387
4139	844	4304	392	4502	1210
4140	1096	4305	1209	4504	850
4146	962	4311	560	4507	749
4149	1254	4313	1014	4509	1235
4152	989	4314	1193	4511	851
4153	858	4315	938	4512	1194
4156	545	4316	1102	4513	1160
4160	1329	4320	1325	4514	205
4161	1282	4321	1124	4521	1108
4167	868	4325	1103	4524	1256
4173	936	4327	1066	4529	852
4174	785	4328	495	4531	1427
4176	969	4329	939	4539	1326
4177	1156	4333	1104		

SENATE BILLS

Senate Bill	Chapter	Senate Bill	Chapter	Senate Bill	Chapter
13	496	929	150	1393	139
14	186	931	1126	1395	1246
30	977	939	751	1400	206
42	1139	966	355	1401	594
63	126	973	1072	1403	564
69	148	1005	116	1405	1236
77	915	1045	89	1409	1446
78	1300	1051	1184	1410	320
80	1418	1063	1301	1411	11
140	534	1077	30	1413	26
174	160	1086	87	1415	701
189	127	1096	1114	1416	263
210	27	1097	314	1417	497
218	168	1109	97	1424	45
223	69	1115	1378	1425	871
227	870	1168	455	1427	1257
231	916	1197	752	1428	786
332	1346	1208	162	1432	207
410	917	1226	75	1435	872
413	161	1232	420	1437	755
460	976	1235	95	1439	100
483	265	1241	228	1445	154
503	128	1261	54	1448	152
508	28	1262	55	1450	188
526	918	1269	56	1451	153
547	76	1270	356	1457	1397
564	1211	1273	1260	1458	208
568	416	1274	753	1459	266
570	691	1275	593	1461	1237
575	750	1277	1330	1464	119
603	10	1284	138	1465	565
604	167	1301	158	1468	919
624	1125	1305	88	1469	1303
627	1347	1309	57	1471	421
631	1258	1318	297	1472	803
685	1138	1319	58	1473	566
686	1443	1321	259	1474	804
693	1419	1322	446	1475	805
699	24	1335	151	1476	1447
716	454	1338	3	1477	422
718	1259	1339	16	1478	567
722	15	1340	112	1479	1448
729	417	1341	1057	1480	191
746	29	1342	252	1483	1212
798	117	1344	155	1486	1261
803	1420	1351	802	1493	1297
809	321	1352	700	1497	209
812	1444	1355	1445	1498	1391
822	395	1356	1161	1501	863
831	692	1362	1106	1502	315
839	466	1373	415	1503	316
848	1169	1374	456	1504	568
863	418	1376	19	1507	1298
872	419	1379	396	1511	1238
900	711	1385	653	1512	920
904	149	1390	1302	1515	397
928	23	1392	754	1516	398

Senate Bill	Chapter	Senate Bill	Chapter	Senate Bill	Chapter
1520	864	1634	715	1766	1452
1522	569	1635	800	1767	1453
1523	1162	1636	1127	1769	1227
1524	264	1639	423	1770	792
1525	229	1641	323	1772	811
1526	806	1642	1195	1780	675
1529	756	1645	1392	1781	716
1530	193	1649	571	1782	1076
1531	448	1650	572	1784	254
1536	1383	1653	1172	1788	1454
1537	1239	1654	1401	1789	875
1538	1411	1655	1163	1790	1164
1539	399	1664	758	1793	964
1540	400	1670	1074	1796	1077
1542	595	1671	790	1797	596
1546	401	1676	921	1798	1165
1549	712	1678	1067	1803	192
1552	693	1684	1058	1804	403
1553	298	1685	573	1805	304
1554	943	1687	1348	1806	1263
1555	341	1689	810	1807	1078
1560	169	1691	299	1808	876
1562	713	1692	759	1809	793
1569	267	1694	1070	1810	1342
1570	268	1695	1069	1811	346
1572	269	1697	271	1816	404
1574	787	1698	791	1820	1128
1575	342	1699	402	1821	717
1577	807	1702	1240	1823	1426
1581	1073	1704	574	1824	1166
1582	1140	1707	211	1825	1167
1584	1386	1708	272	1826	812
1585	1097	1709	922	1827	794
1588	1299	1712	1241	1828	813
1591	210	1714	760	1829	795
1594	788	1719	761	1832	406
1596	449	1720	508	1834	405
1597	808	1722	575	1835	578
1599	270	1724	337	1839	1189
1601	230	1726	873	1843	579
1602	125	1729	944	1845	1243
1603	120	1730	694	1847	814
1609	1226	1731	576	1848	1355
1610	317	1732	253	1850	580
1612	570	1733	1075	1854	407
1614	187	1735	799	1855	924
1615	1213	1739	633	1857	1264
1616	789	1742	577	1859	718
1617	1379	1743	1449	1864	1079
1618	170	1744	634	1865	326
1619	809	1745	1393	1868	1455
1621	514	1747	923	1874	1456
1622	357	1749	457	1875	815
1625	737	1751	874	1877	1168
1627	932	1754	1242	1879	1349
1628	1262	1758	963	1882	1292
1630	674	1762	453	1884	1457
1631	1304	1763	1450	1888	1388
1632	714	1765	1451	1890	1290

CROSS-REFERENCE TABLES

469

Senate Bill	Chapter	Senate Bill	Chapter	Senate Bill	Chapter
1892	1129	1987	1186	2095	1407
1893	408	1988	359	2097	1136
1894	1265	1994	1268	2098	1132
1896	1080	1997	1341	2101	1015
1897	1081	2001	582	2102	1133
1898	719	2002	1214	2103	1390
1899	796	2004	1389	2104	1134
1900	1082	2005	762	2105	1381
1901	273	2007	966	2107	766
1902	925	2008	763	2108	592
1903	1083	2010	1084	2112	1344
1905	676	2012	1458	2115	1460
1906	358	2014	535	2116	1188
1907	720	2018	636	2117	1409
1915	1266	2020	818	2121	926
1918	877	2023	509	2125	1306
1925	409	2030	412	2126	450
1926	878	2031	1402	2127	1270
1927	581	2033	764	2128	1345
1928	300	2034	654	2130	1307
1929	797	2035	1269	2133	1421
1933	1305	2038	1380	2135	767
1936	816	2040	583	2137	1135
1943	1340	2047	1130	2141	638
1944	880	2050	862	2142	585
1945	318	2053	413	2143	865
1947	274	2054	1459	2144	927
1950	1267	2057	424	2145	319
1951	1187	2058	721	2151	819
1953	861	2060	1171	2152	510
1958	798	2062	971	2167	511
1959	410	2063	1131	2172	1068
1960	597	2065	722	2175	515
1962	1170	2066	680	2177	1088
1964	255	2068	1085	2178	820
1965	1059	2069	1086	2184	325
1967	411	2072	584	2186	768
1972	817	2074	425	2193	414
1975	1244	2078	1087	2199	945
1976	879	2079	765	2202	260
1977	965	2081	426	2204	322
1978	1406	2082	1343	2206	821
1985	635	2093	637		

ASSEMBLY CONSTITUTIONAL AMENDMENTS

ACA	Resolution Chapter	ACA	Resolution Chapter	ACA	Resolution Chapter
40	5	77	57	94	58
75	55	90	24	96	56

ASSEMBLY CONCURRENT RESOLUTIONS

ACR	Resolution Chapter	ACR	Resolution Chapter	ACR	Resolution Chapter
74	106	142	79	184	140
82	19	143	81	190	66
85	78	144	117	194	128
91	13	149	33	196	100
92	44	150	34	198	141
93	85	152	138	201	158
97	23	154	72	202	156
100	102	155	26	206	142
106	71	156	73	208	143
110	14	157	127	210	68
111	18	159	83	211	74
120	99	162	107	214	154
121	90	163	139	216	144
123	36	165	84	221	159
125	43	167	109	222	145
130	30	169	105	225	67
131	1	170	160	226	47
132	6	171	151	228	153
133	63	175	157	229	146
135	119	176	152	230	155
140	137	177	86	239	147
141	64	182	65	240	148
				241	118

ASSEMBLY JOINT RESOLUTIONS

AJR	Resolution Chapter	AJR	Resolution Chapter	AJR	Resolution Chapter
30	20	53	120	64	27
31	16	54	4	66	88
34	92	55	31	67	104
35	8	57	87	70	37
38	21	59	80	72	91
39	75	60	129	74	110
40	42	61	39	76	89
42	22	62	101	77	62
51	103	63	82		

SENATE CONSTITUTIONAL AMENDMENTS

SCA	Resolution Chapter	SCA	Resolution Chapter	SCA	Resolution Chapter
14	35	40	53	46	59
16	2	45	61	53	60

SENATE CONCURRENT RESOLUTIONS

SCR	Resolution Chapter	SCR	Resolution Chapter	SCR	Resolution Chapter
30	38	75	112	94	51
37	124	76	7	98	70
41	28	77	9	99	121
57	41	79	46	101	48
59	25	80	95	104	114
62	130	81	131	106	125
66	12	82	96	107	122
67	17	83	52	108	108
71	111	84	149	109	115
72	93	88	113	110	97
73	94	89	45	111	150
74	3	92	76	112	126

SENATE JOINT RESOLUTIONS

SJR	Resolution Chapter	SJR	Resolution Chapter	SJR	Resolution Chapter
31	13	44	49	58	132
32	54	46	32	59	133
40	29	47	40	60	98
41	77	48	50	61	134
42	11	49	116	62	135
43	69	53	123	63	136

BILLS VETOED BY GOVERNOR

1976

ASSEMBLY BILLS

364, 644, 806, 871, 904, 1059, 1081,	3489, 3492, 3499, 3545, 3549, 3580, 3594,
1127, 1241, 1621, 1885, 1896, 1939, 2103,	3638, 3648, 3659, 3663, 3667, 3673, 3734,
2112, 2172, 2246, 2345, 2459, 2501, 2529,	3754, 3756, 3757, 3768, 3774, 3777, 3788,
2567, 2579, 2596, 2602, 2619, 2631, 2633,	3839, 3862, 3903, 3913, 3922, 3929, 3935,
2636, 2666, 2671, 2735, 2780, 2814, 2856,	3954, 3959, 3980, 4012, 4022, 4055, 4074,
2878, 2879, 2885, 2889, 2892, 2907, 2918,	4082, 4090, 4143, 4148, 4150, 4151, 4155,
2921, 2930, 2947, 2955, 2969, 2975, 2981,	4166, 4186, 4200, 4215, 4217, 4277, 4286,
2982, 3027, 3049, 3058, 3084, 3123, 3158,	4330, 4353, 4356, 4428, 4463, 4486, 4495,
3169, 3188, 3192, 3271, 3272, 3275, 3285,	4538
3288, 3333, 3384, 3390, 3406, 3410, 3418,	

SENATE BILLS

215, 388, 771, 998, 1071, 1075, 1126,	1841, 1861, 1867, 1873, 1916, 1937, 1982,
1149, 1184, 1218, 1254, 1378, 1398, 1412,	1989, 1993, 2029, 2048, 2049, 2059, 2085,
1429, 1446, 1470, 1487, 1518, 1528, 1534,	2087, 2109, 2114, 2118, 2139, 2147, 2148,
1558, 1564, 1586, 1605, 1607, 1667, 1721,	2170
1737, 1779, 1812, 1815, 1819, 1837, 1838,	